

1973 S.1504



SENATE No. 1504

The Commonwealth of Massachusetts

**FINAL REPORT
OF THE SPECIAL COMMITTEE
OF THE SENATE AUTHORIZED**

(by the President of the Senate, under the provisions of Joint Rule 3,
on August 3, 1972)

**TO MAKE AN
INVESTIGATION AND STUDY
OF THE CORRECTIONS SYSTEM
OF THE COMMONWEALTH**

(Senate No. 1504)
(received February 1, 1973)

Senate, February 5, 1973

STORAGE

Read for the information of the Senate and placed on file.

Norman L. Pidgeon
Senate Clerk and Parliamentarian

STORAGE KFM 2988 .A25 1973
Massachusetts. General
Court. Senate. Special
Final report of the Special
Committee of the Senate

FINAL REPORT
OF THE
SENATE SPECIAL COMMITTEE
TO
MAKE AN INVESTIGATION AND STUDY
OF THE
CORRECTIONS SYSTEM
OF THE COMMONWEALTH

(authorized by the President of the
Senate, under the provisions of
Joint Rule 3, on August 3, 1972
[see Item 0164-0020 of Chapter 514
of the Acts and Resolves of 1972])

JANUARY 1973



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON

HON. DAVID H. LOCKE
ASSISTANT REPUBLICAN FLOOR LEADER

COMMITTEES:
RULES
INSURANCE
JUDICIARY
SOCIAL WELFARE
STATE ADMINISTRATION

August 2, 1972

The Honorable Kevin B. Harrington
President of the Senate
State House
Boston, MA

Dear President Harrington:

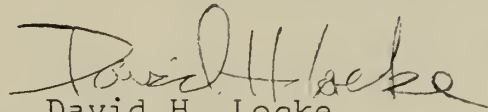
As a result of the serious situation existing in our prisons as was recently evidenced by the tragedy occurring at the Norfolk Prison Colony on Monday last, I respectfully request the appointment of a Special Senate Investigating Committee to consist of three members of the Senate, not more than two of whom shall be members of the same political party, to make an investigation and study of this event as well as conditions existing within our penal system as a whole with a view to the safety of the public and the employees of the various institutions and the security and humane treatment of the inmates.

I would hope that the Committee would be authorized to conduct hearings, examine witnesses, records and the like and travel within the Commonwealth and report from time to time and further report to the Senate the results of its investigations and recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the Clerk of the Senate on or before the first Wednesday in December of the current year.

The Honorable Kevin B. Harrington
August 2
page 2

As you are aware, the Norfolk Prison Colony is in the Norfolk-Middlesex Senatorial District which I have the honor to represent and accordingly I make this request in accordance with the provisions of Joint Rule Three.

Yours very truly,

A handwritten signature in dark ink, appearing to read "David H. Locke". The signature is fluid and cursive, with the first name "David" being the most prominent.

David H. Locke
Senator
Norfolk-Middlesex
District

DHL/jpm



LETTER AUTHORIZING CREATION OF THE COMMITTEE

OFFICE OF THE PRESIDENT
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON


KEVIN B. HARRINGTON
PRESIDENT

Senate, August 3, 1972.

Clerk of the Senate
State House
Boston, Massachusetts

Dear Mr. Pidgeon:

I have this date appointed Senators Locke of Norfolk and Middlesex, Tobin of Norfolk and McKinnon of Norfolk and Plymouth a special committee of the Senate to make an investigation and study of the prison system of the Commonwealth, including all laws and matters relating to the correctional system. Said committee shall make a special effort to investigate and determine the causes resulting in the attempted escape and subsequent death of four persons at the Norfolk Prison Colony. Said committee may travel within the Commonwealth and incur such expenses as may be necessary, not exceeding the sum of one thousand dollars. Said committee shall report to the Senate as soon as may be practicable.


Kevin B. Harrington
President of the Senate

MEMBERS OF THE COMMITTEE

Sen. David H. Locke, Chairman

Sen. Allan R. McKinnon

Sen. Arthur H. Tobin

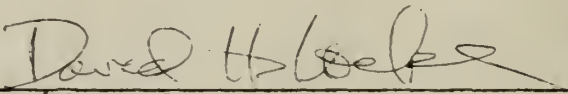
LETTER OF TRANSMITTAL

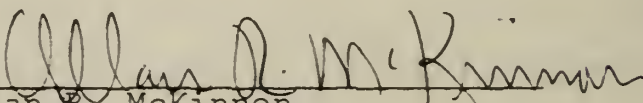
SENATE SPECIAL COMMITTEE INVESTIGATING
THE CORRECTIONS SYSTEM OF THE COMMONWEALTH
STATE HOUSE, BOSTON, MASSACHUSETTS

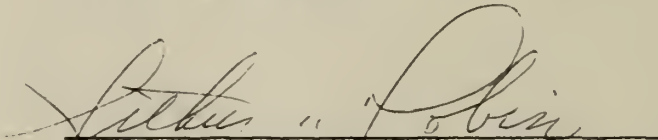
To the Honorable Senate:

We, the undersigned, hereby submit a final report on the results of this investigation and study (authorized by the President of the Senate, under the provisions of Joint Rule 3, on August 3, 1972 [see Item 0164-0020 of Chapter 514 of the Acts and Resolves of 1972]) of the corrections system of the Commonwealth.

Respectfully submitted,


David H. Locke


Allan R. McKinnon


Arthur H. Tobin

FOREWORD

While the appointment of this committee arose out of and followed the tragic incident occurring at M.C.I. Norfolk, on July 31, 1972, it soon became apparent to the committee that this incident, although serious and regrettable, was but one in a continuing series of episodes occurring in all corrections facilities. Inasmuch as the "Elliot incident" became the subject of a special investigating committee (the so-called Gavin committee), as well as intensive investigation by the Norfolk County District Attorney and his staff, the committee determined that its efforts would be better spent in a broad examination of the Massachusetts correctional system.

In order to accomplish this stated purpose, committee members visited Massachusetts corrections institutions at Walpole, Norfolk, Concord, Bridgewater, and Framingham, as well as several houses of correction and jails, on numerous separate occasions. The committee held extensive hearings throughout the fall of 1972, receiving testimony from the Commissioner of Corrections, superintendents of the various institutions, and other administrative officials, corrections officers, inmates, representatives of private reform groups, and instructors, relatives of inmates and officers, and other private citizens. In addition, research in matters relative to the corrections system -- including existing statutes and administrative regulations, and former legislative committee reports -- was undertaken. To carry on its work, the committee received a spec-

ial allocation of one thousand dollars; of this amount, over nine hundred dollars remains unexpended and will revert to the State Treasury. (Expenditures were made only for the purpose of purchasing tapes and renting equipment used to record testimony.)

As a result of its work, the committee has found that the corrections system in Massachusetts has in the past served as a glaring example of an institution in which almost everything has been done wrong. It is appalling to the committee that a corrections system which pays allegiance to the concept of rehabilitation has had a recidivism rate shockingly close to seventy-five percent. The General Court recognized the seriousness of problems in our corrections system and gave the Department of Corrections the tools with which to implement reform in the institutions when it passed Chapter 777 of the Acts of 1972. The committee commends the Department of Corrections for the progress made in penal reform due to its own initiatives and due to a speedy and effective institution of reforms suggested by the General Court.

The committee concludes that a number of inmates require greater security and more intensive rehabilitative programs than presently exist, while other inmates require no further institutional custody. It appears that an averaging approach, reflecting mediocrity in administrative procedures, has resulted in the continued confinement of some inmates who should be released, and the release of others who require lengthier periods of incarceration and greater preparation for re-integration into the community. The committee believes that the corrections system must pursue more diligently the

goals of rehabilitation, and is confident that the Department, under the leadership of the new Commissioner of Corrections intends to apply its best efforts to this goal. It seems clear that while incarceration may serve as a valuable deterrent to the commission of crime, continued confinement beyond the point of rehabilitation can do more harm than good. The committee believes the corrections system must afford more rigorous and intensive rehabilitative programs than it can at present for individuals consistently manifesting asocial behavior, and must release with greater speed and facility those who demonstrate a capacity to undertake the responsibility of re-entry into society.

While it is clear to the committee that some of its recommendations will require additional expenditures, it is impossible at this writing for the committee to predict with any accuracy the exact amount of funding support necessary for the effective implementation of its recommendations as the committee cannot be aware which of its recommendations or pieces of legislation will eventually receive the approval of the General Court, or the Department of Corrections, as the case may be. For example, the committee recommends that a departmental adjustment center be established, but its location and supportive facilities are left to the discretion of the Department of Corrections. Similarly, the committee recommends the establishment of a first or youthful offenders facility, but vests in the Department of Corrections the final decision as to the location and size of the institution.

The committee is convinced that any additional costs required as a result of implementation of its recommendations will be more than

offset by long-term economies in amounts the Commonwealth must budget for rehabilitation and correction, if the staggering rate of recidivism can be reduced. The intangible savings are, of course, those resulting from a decrease in the number of wasted lives and distressed families; these can be thought of as invisible reductions in the costs the taxpayer must pay for continued availability of rehabilitative services for the offender.

Again, while it is clear that the committee's recommendation that supportive services be available to ex-offenders who receive no parole supervision subsequent to their release will undoubtedly require the hiring of additional personnel, this cost should be, hopefully, offset by a corresponding decline in the numbers of paroled offenders returning to corrections institutions. It should be noted that the present cost of simply maintaining an inmate in a state correctional facility is approximately \$9,000 per inmate/per year. Less well-defined expenses resulting from incarceration and recidivism of offenders are reflected in spiralling court budgets, costs of police and law enforcement agencies, even in the ever-mounting costs to the taxpayer for public assistance (because in a number of cases the inmate's family must be supported by the Commonwealth during his or her incarceration). The committee hopes that its recommendations will assist and guide efforts which will eventuate in not only more humane treatment of the state's inmate population but also in reducing the particular financial burden on the taxpayer that is the natural result of provision of adequate rehabilitative services to inmates of our correctional institutions.

TABLE OF CONTENTS

| | |
|--|----|
| Request for Creation of a Committee | 1 |
| Letter authorizing Creation of a Committee | 3 |
| Members of the Committee | 4 |
| Letter of Transmittal | 5 |
| Foreward | 6 |
| Table of Contents | 10 |
| Recommendations | 12 |
| I. Administration | 21 |
| Corrections Officers | 21 |
| Communications | 25 |
| Inmate Organization | 27 |
| Executive Office of Human Services | 28 |
| Integration of County Institutions | 29 |
| II. Classification | 32 |
| Diagnostic Reception Center | 32 |
| First and Youthful Offenders | 34 |
| Drug-dependent Inmates | 36 |
| Halfway Houses | 38 |
| III. Discipline and Safety | 41 |
| Adjustment Center | 41 |
| Shakedowns | 44 |
| Parole | 46 |
| Pardon | 49 |
| Good Time | 49 |
| IV. Education | 52 |
| Educational Programs | 54 |
| Libraries | 57 |
| Department of Corrections School District | 59 |

| | | |
|------|--|----|
| V. | Work | 61 |
| | Industries within the Corrections Institutions ... | 61 |
| | Work Release | 63 |
| | Wages | 65 |
| | Job Placement | 67 |
| VI. | Medicine | 70 |
| | Equipment and Supplies | 71 |
| | Procedures and Premises | 72 |
| | Physician, Dentist and Nurse Personnel | 74 |
| | Paramedics and Volunteers | 76 |
| | Counselling | 77 |
| | Inmate Medics | 78 |
| VII. | Social Dimensions | 80 |
| | Visiting and Furloughs | 80 |
| | Personal Communications | 82 |
| | Relations with Media and Outside Groups | 84 |
| | Racial Conflicts | 87 |
| | Appendix: Legislation Supported by the Committee | 91 |

RECOMMENDATIONS AND FINDINGS

I. Relative to Administration

1. The committee emphasizes its concern for the speedy implementation of those sections of Chapter 777 of the Acts of 1972, which provide that intensive and on-going educational and training programs be available to corrections officers.

2. The committee urges that Massachusetts corrections officers be afforded opportunities for promotion to high administrative positions. The committee feels that executive judgements relative to the qualifications of corrections officers serve to reflect the quality of training offered by the executive branch; and hence, as measures are taken to improve the latter, there also must be increased reliance upon corrections personnel in filling higher positions.

3. The committee expects that the Commissioner of Corrections will explain and discuss in all cases the nature, scope, and content of new administrative policies with superintendents and other officials involved in the institution of such policies. The committee expects that should the Commissioner intend to be absent from his office, he will instruct competent staff members in appropriate responses to questions of routine and emergency nature which may arise within the Department.

4. The committee strongly urges that an up-to-date handbook of regulations and procedures be devised and continuously reviewed by the Department for the use of inmates and officers; the committee expects that such a written code of conduct will help to eliminate any arbitrariness which may exist in judgement of individual's behavior.

5. The committee deplores the great disparity between numbers of black and Spanish-speaking inmates, and numbers of corrections officers with similar racial and ethnic backgrounds; and expects that efforts will be made by the Department to attract, recruit, and train such individuals to the corrections service.

6. The committee feels the Department ought to explore in a systematic fashion the feasibility and advisability of instituting links between inmates and unions in order to determine the efficacy of this technique for expression of grievances, or the institutionalization of a scale of wages for inmate work that is similar to the union scale.

7. The committee feels the Department of Corrections should retain its present location within the Executive Office of Human Services, rather than be transferred to the Executive Office of Public Safety.

8. The committee recommends that the Department of Corrections study the possibility of at some future date integrating county correctional institutions within and under the state corrections system.

II. Relative to Classification

9. The committee strongly recommends the immediate establishment of a diagnostic reception center at a location the Department deems suitable.

10. Upon the establishment of a diagnostic reception center, the committee recommends that consideration be given to a policy by which offenders can be sentenced to the Corrections Department generally, rather than to a specific facility; and subsequent to their being so sentenced, their needs, whether medical, rehabilitative etc., be de-

defined on an individual basis. Following such appraisal, the committee intends that the offender be admitted to the institution which can best meet such rehabilitative and security needs.

11. The committee strongly recommends that a youthful and first offenders facility be established immediately in order to insure that young offenders may be separated from the population of older inmates with records of repeated crime.

12. The committee strongly recommends the establishment of a distinct facility for intensive treatment of drug-dependent inmates.

13. The committee encourages continued development of community-based half-way houses promoting the re-integration of inmates into community life, and the exploration of increased use of forestry camps.

III. Relative to Discipline and Safety

14. The committee strongly recommends the establishment of a departmental adjustment center where that small percentage of inmates who consistently manifest violently aggressive or otherwise dangerous behavior may be confined; the committee intends that such a center provide inmates with all such psychiatric and medical treatment, counselling, and other services, as may be needed to ensure prompt return to the general population.

15. The committee deplores the failure of officials to conduct frequent and thorough "shakedowns", and expects that such searches will be made far more regularly and rigorously in the future to ensure the maintenance of "clean" institutions.

16. The committee strongly recommends that metal detectors be used

on a continuing basis in all institutions where they are currently installed to promote the security of inmates, other employees, and visitors; the committee further urges that safety items be substituted for any implements which may be converted easily into weapons.

17. The committee recommends that administrative options relative to parole eligibility following completion of one third of a sentence be employed in all cases where such eligibility is merited; the committee further recommends that good-time deductions be awarded to inmates completing constructive activities or programs during their confinement.

18. The committee recommends that all individuals who complete sentences without occasion for parole supervision be given access to the benefits of job assistance and other supportive services subsequent to their release which they otherwise might not receive.

19. The committee recommends that a Board of Pardons be established to consider, in conjunction with the Board of Parole, the advisability of expunging the records of former offenders, or commuting the sentences of offenders, in order that such considerations remain as objective as possible.

IV. Relative to Education

20. The committee notes the paucity of elementary education courses available to inmates and urges the Corrections Department to survey and provide for such needs.

21. The committee recommends that grammar and high school education courses now offered be coordinated and improved, with consideration being given to the establishment of a Corrections Department School District

22. The committee urges the Department of Correction to explore the possibility of employing student teachers from state higher educational institutions to reduce the shortage of instructors in corrections facilities while minimizing costs for an expanded teaching staff.

23. The committee recommends that educational counsellors be available in institutions during evening hours in order that inmates who work or attend classes by day may have opportunities for such consultation.

24. The committee urges that administrative and security procedures be streamlined and standardized to expedite the entry of volunteer instructors from industry or other private organizations into corrections facilities.

25. The committee strongly recommends that libraries in corrections facilities be expanded, with attention given to the inclusion in such libraries of law books and other legal texts; the committee urges the Corrections Department to explore the possibility of acquiring volumes through donations made by private citizens, businesses, and other organizations.

V. Relative to Work

26. The committee urges that training sequences and corrections industries which conform closely to outside employment opportunities be developed and established within institutions; the committee suggests that such sequences and industries include computer technology, automobile mechanics, refrigeration, electronics, and so on.

27. The committee urges that the Corrections Department work closely with labor unions in facilitating the entry of former offenders, who have completed apprenticeship training programs in corrections institutions, into appropriate unions upon their release, in order to afford them opportunities for job security and the earning of minimum wages.

28. The committee urges that corrections industries be oriented to the production of goods saleable at attractive prices on the open market; and that profits of such sales be used to maintain corrections industries, but also to increase inmate wages.

29. The committee recommends that work-release programs be further developed under Chapter 777 of the Acts of 1972, in order that inmates who demonstrate a capacity and responsibility to handle such employment be given opportunities to do so.

30. The committee strongly recommends that inmate wages be raised, particularly as new corrections industries show profit; and urges the establishment of savings accounts for inmates, in order that post-release financial security be ensured. The committee suggests further that a portion of inmate earnings be directed to the maintenance of inmate's families currently receiving public assistance; and that the Commonwealth be reimbursed out of inmate savings for riot damages to state or county institutions, where responsibility for such damages may be ascertained.

31. The committee urges that consideration be given by the General Court to state tax incentives for industries which contribute personnel and equipment to the Corrections Department for the in-

struction and training of inmates, or hire ex-offenders after release.

32. The committee recommends that the Corrections Department consult with the Department of Communities and Development in the establishment of job-training sequences which will best prepare inmates for post-release employment.

33. The committee urges that private industry and business participate in the implementation of public policy by working to eliminate any employment discrimination which may be directed against former offenders.

VI. Relative to Medicine

34. The committee expects that corrections institutions will be stocked properly and adequately with medical supplies and equipment; and that such materials will be securely stored and appropriately dispensed in order to prevent their abuse.

35. The committee expects that medical record-keeping procedures will be rendered more comprehensive and orderly in all facilities.

36. The committee deplores the absence of hygienic and extensive medical facilities in all institutions and expects that the Corrections Department will make every effort to evaluate and improve such facilities with due haste.

37. The committee expects that all medical personnel in corrections facilities whether working on a full-time or a part-time basis, will afford services to the Commonwealth commensurate with their salaries; the Committee recommends that the Corrections Department eliminate any abuse of such state employment.

38. The committee urges that salary schedules and employment benefits for medical personnel in corrections facilities be made competitive with such schedules and benefits in the outside community.

39. The committee recommends that state hospitals be used to augment medical services offered by corrections facilities.

40. The committee recommends that the Corrections Department make provision for the hiring of additional paramedical personnel; the committee intends that interested inmates be afforded opportunities for training and employment as paramedics.

41. The committee recommends that additional counsellors be employed in corrections facilities to offer services relative to psychiatric, drug, and other problems; and that such counsellors provide post-release evaluation and assistance to former offenders.

VII. Relative to Social Dimensions

42. The committee urges that metal detectors currently installed be used consistently in checking both inmates and visitors to control the flow of contraband into corrections institutions, and that matrons continue to be assigned to oversee entry of female visitors.

43. The committee recommends that the Department of Corrections notify the local police when an offender is released on furlough.

44. The committee urges the Corrections Department to review continuously policies relative to personal communications (mail and telephone calls), in order to promote equalization and non-discrimination of privileges among inmates; and that consideration be given to the viability of more flexible and extensive communications privileges.

45. The committee deplores the existence of racial hostility in

corrections institutions, whether among inmates or between inmates and officials; and urges that personnel evaluations take into consideration any unwarranted antagonism emanating from racial prejudice.

46. The committee requests the Commissioner of the Department of Corrections to submit to the Governor and the General Court, one year from the date of enactment of appropriate legislation included herein, and the filing of this report, a report indicating its intention, measures, and progress relative to each of the above recommendations.

I. ADMINISTRATION

The committee noted during the course of its investigation that a number of problems exist which pertain to certain administrative practices within the Department of Corrections and its facilities. Consideration has been given to problems relative to the effectiveness and authority of guards, communications flow within the Department, organization of inmates, and the location of the Department of Corrections within the Executive Office of Human Services as well as the integration of county facilities for correction within the state Department of Corrections. Repeated references were made to these matters during testimony, and based upon its examinations of the problems described, the committee feels it necessary to underscore the need for certain policy clarifications, emphases, or changes relative to them.

Corrections Officers

One of the most evident problem areas within the corrections system relates to the overall capacity and effectiveness of guard personnel. Intense dissatisfaction was expressed by many individuals, including corrections officers, administrators, inmates, and representatives of interested groups, with matters such as qualifications and training opportunities, the delineation of authority, and seniority considerations.

The position of corrections officer is classified as a civil service job, and hence most necessary qualifications are established as regulations of the Massachusetts Civil Service Commission, while other factors, such as salary, age, veterans'

preference, and certain training requirements are statutorily determined. Repeated references were made in the course of testimony before the committee to the inadequacy of existing training programs, particularly the absence of sufficient opportunities for follow-up instruction during an officer's career. Undoubtedly this paucity of educational programs has been detrimental to the steady development of professionalism and deeper understanding -- desired by the vast majority of personnel -- within the corrections system.

Nonetheless, the committee feels it necessary to emphasize that the 1972 Legislature addressed itself to this situation, in formulating and passing Chapter 777 of the Acts of 1972. Under section 9 of this chapter, the Commissioner of the Department of Corrections is directed to provide training opportunities for prospective personnel, as well as existing personnel, at an appropriate academy, where instruction in areas of criminology and penology may be obtained. The committee urges speedy implementation of the provisions of Section 9. The Legislature, by granting the Commissioner a good deal of authority and discretion in the matter of training programs, has expressed its judgement that such education is of critical importance and should be made widely available without delay.

A second major area considered by the committee relates to the authority of guards and prevailing attitudes toward such authority. The existing situation of almost ceaseless instability and unrest is frequently attributed to the diminution of officers' disciplinary authority. Numbers of individuals

feel such authority has been unjustly reduced, with a proportionate increase in the "power" and "control" of inmates. As a consequence, both guards and inmates feel their lives are continually in jeopardy, with "blame" for the present instability fixed, frequently on the basis of uninformed subjective opinion, with administrators, guards, inmates, or combinations of these. The committee has heard several general appraisals of the existing situation and recognizes the merit of comments offered by individuals speaking from different vantage points. Nonetheless, because much testimony has been limited in its perspective, the committee feels it cannot lodge its sympathy with any single group of participants or observers. Accounts of hostility and injustice on the part of corrections personnel have been related by inmates and inmates' families, while other prisoners have underscored that many guards consistently behave with utmost equanimity and fairness; members of the news media are said to depict institutional problems with a gross pro-inmate bias on one hand, and to provide an opportunity for accurate representation of the existing situation on the other; allegations of racism are heard and subsequently refuted; guards' lives are said repeatedly to be in danger, and prisoners experience stabbings and assaults daily; the pervasiveness of organized crime is elaborated by some and minimized by others; and endlessly on. Confronted with such conflicting testimony, the committee finds it impossible to reach any single decision as to where "blame" for existing instability may be fixed. The committee

deplores the excessively low level of morale which prevails among guard personnel; but it also feels that inmates, without being given opportunities for self-improvement and self-development, would not willingly respond to any amount of disciplinary authority which may be vested in the corrections officers.

The matter of seniority within the hierarchy of guard and administrative personnel constitutes a third area to which the committee has directed its attention. A number of corrections officers, speaking individually or representing unions, have elaborated their perception that few promotions are given to staff members, even when many years of experience in the department have been accrued. The general observation is that personnel who have acquired skills through years of employment in the corrections field are best suited for dealing with the problems and demands of administrative positions in the Department; while, as the case is described, individuals appointed to such positions have not developed their expertise within the Massachusetts correctional system to the same extent as other personnel. The committee agrees with the general policy that employees of the Commonwealth should be afforded priority consideration when opportunities for advancement arise -- talents readily available should not be overlooked in the staffing of upper level positions. The committee feels that opportunities for advancement must be afforded corrections officers and would help achieve a rise in morale; the committee therefore urges that every consideration be

given to the promotion of current employees of the Department, as positions become available or vacant.

Communications

The committee has further directed its attention to several problems which are generally concerned with the matter of communications flow within departmental facilities. These problems, which apparently generate a good deal of conflict and misunderstanding, include clarity and comprehensiveness of general administrative policies issued by the Commissioner's office to various superintendents; the orientation of inmates and corrections officers to procedures and behavioral expectations; and language barriers experienced by members of minority groups.

The committee has found that superintendents and other administrative personnel have questions relating to the extent of their authority and capacity to act, in the face of certain policies -- such as those pertaining to hearings and lock-ups -- issued by the Commissioner's office. While the committee reserves its judgement on the wisdom of newer administrative practices, it feels strongly that the nature, scope and content of those policies should be explicated by the Commissioner, and discussed with superintendents, before or immediately after their effective date, in order to insure that all those involved in the administration of such policies may act appropriately. The committee deplores the misunderstanding which it has discovered on all sides, concerning appropriate procedures

under newer policies, particularly when such misunderstanding can lead so easily to great systemic instability. The committee feels the Commissioner's absence is no excuse for a lack in procedural clarity; when he is absent for purposes of business or other reasons, staff sufficiently competent to answer -- with immediacy and clarity -- should be available in the central office to handle both routine and emergency matters. The committee therefore expects that the central office will make every effort to clarify and discuss the meaning and ramifications of any major policy changes which are made; the committee further expects that should any questions exist in the minds of superintendents and other high-ranking personnel concerning such policies, they will settle such matters before the advent of an institutional crisis.

The committee has also found that many inmates and corrections officers have questions relative to how they should behave in both routine and emergency situations. Inmates have repeatedly indicated that what is "right" one day may be "wrong" the next, and they have little recourse to settle apparent arbitrariness; while corrections officers have questions, as indicated earlier, relative to the extent of their disciplinary authority. The committee deplores the existence of such gross misunderstanding and finds it to be significant as a source of tension and conflict in the institutions. The committee therefore urges that some device, such as an up-to-date handbook of regulations and procedures, be distributed -- not only to guards but also to inmates. The committee expects that such a handbook (currently

available to guards, although in need of updating) would delineate an institution's routines, outline opportunities available for instruction and employment, describe procedures relative to mail, telephone calls, visitors, etc., explain sanctions upon misbehavior, and so on, and would be given to each individual participating in the day-to-day operation of the facility. The committee feels that compliance with norms and expectations is difficult when these are not expressly stated and hopes that such expression would reduce mistaken or arbitrary judgement of behavior, as well as provide adequate grounds for the implementation of sanctions when express regulations or privileges have been transgressed or abused.

Finally, the committee has considered the communications barrier existing among members of certain ethnic groups, particularly the Spanish and Puerto Rican. The committee expects that every effort will be made in the immediate future to recruit sufficient numbers of correctional personnel to overcome this language barrier. Spanish-speaking inmates should not be made to live in a state of limbo relative to the demands and expectations of their environment. The committee strongly urges that the Corrections Department work to rectify this problem, not only with respect to the Spanish-speaking but to any other minority groups which may exist or develop, in order to establish communications at a reasonable and operable level.

Organization of Inmates

The committee understands that consideration has been given by

the Commissioner's office, members of interested groups, and inmates to the possibility of unionizing prisoners, for the purpose of giving expression to grievances, establishing guidelines for the prison population's behavior, disseminating information, and so on. This idea has been proffered by the National Prison Reform Association, which is based in Providence, Rhode Island, and has been able to implement a prisoners' union in that state. The committee has heard some objection from corrections officials relative to this concept; opposition stems from the belief that unionization would serve only as a mechanism for the further acquisition of priveleges by inmates.

The committee feels sufficient evidence has not been gathered relative to the possible effectiveness of such an organization and hence reserves its judgement on the merit of prisoner unionization. Several factors, such as the presence within the inmate population of a small number of sociopathic or psychopathic personalities, and the impediments to securing "good time" for employment with a strike provision, would seem to militate against the formation of a union patterned exactly after those currently existing among the trades. However, if some modified, viable type of inmate organization could be devised, this could perhaps prove useful at least in achieving orderly articulation of grievances or perhaps the scale of wages employed as guidelines to union members could be used to estimate inmate wages for certain types of work.

Executive Office of Human Services

The committee has given some consideration to the proposed transfer of the Department of Corrections from the Executive

Office of Human Services to that of Public Safety and has been unable to discover any particular benefit which such a transfer might achieve. The fact that a small percentage of prisoners have problems relating to psychological adjustment would seem to require that they be in an Executive Office which works also with problems of mental health; the Correctional Institute at Bridgewater is such an example, where problems of mental health leading to criminal behavior are treated in facilities in close proximity. That so many inmates have been convicted for drug-related crimes further underscores the close relationship between trends in crime and current problems in social welfare, particularly those which involve juveniles. Many emerging concepts in corrections -- halfway houses, increased numbers of furloughs, more flexible "good time", and so on -- aim at rehabilitation and reintegration of the prisoner into the community rather than viewing him in the context of security alone. For these reasons the committee does not suggest that the Department of Corrections be transferred; however, it remains receptive to evidence of administrative difficulty or dysfunction which could result from its being within an Executive Office so large and cumbersome as that of Human Services.

Integration of County Institutions

While the committee has not studied the idea in any depth, and is making no further extensive analysis of the basic organizational problems of county correctional institutions, it notes the lack

of coordination that has gone on in the past as far as planning for the needs of counties relative to incarceration and rehabilitation of offenders. The committee feels it makes little sense, to take an example, that a new jail is being constructed in Middlesex county, while not far from the site of this new jail, are located both the Charles Street Jail and the Suffolk County House of Correction. As outmoded and useless as the latter two facilities seem to be in executing their supposed custodial functions, the committee feels there is a need for better planning of any additional county correctional facilities constructed in the future. The committee feels that each county need not necessarily have its own correctional facility within its precincts, rather, given the current trend toward de-institutionalization of corrections, new correctional plants should be built only after considerable thought has been given to regional or even state-wide needs for such facilities.

The committee could not help but observe the glaring discrepancy in the facilities on the county level. For example, the institution at Deer Island cannot in the judgement of the committee be considered fit for the incarceration of anyone. Yet an equally antiquated building such as the Dedham House of Correction, supervised by Sheriff Hedges, serves as a model for a facility of its kind. It is clear to this committee that such facilities have endemic problems with separation of youthful offenders from older, more hardened types, and often have inadequate budgets to meet the needs of their residents. The committee feels that some study of the possibility of integration of these smaller, county correctional fac-

into the state's correctional system might result in positive solutions to remedy both the lack of meaningful rehabilitative programs for county inmates and the deficiencies inherent in maintaining existing antiquated facilities in each county.

II. CLASSIFICATION

Prisoner classification procedures have been reviewed by the committee and found to be generally antiquated, slow, and ineffective. Special needs -- such as those for a diagnostic reception center, youthful and first offenders' facility, care of drug-dependent inmates, and additional halfway houses -- remain unmet. Because the Commissioner of Corrections has been given statutorily a broad mandate to "establish a system of classification of persons committed to the custody of the department for the purpose of developing a rehabilitative program for such person", the committee feels it must emphasize its concern for improvement and progress in this area. Testimony has demonstrated repeatedly that poor classification leads to the placement of evidently intractable individuals in medium security facilities, while others needing no great restraint are directed to maximum security institutions. Such mixing of inmates with extremely different needs and temperaments, combined with the general problem of overcrowding leads the committee to conclude that not only must greater attention be given to classification procedures, but numbers of more tractable inmates should be assigned to progressively less confining facilities.

Diagnostic Reception Center

Under the present system, individuals who are convicted of misdemeanors are sentenced to jails or houses of correction, while persons convicted of felonies are sentenced typically to M.C.I.

Concord or M.C.I. Walpole. The committee recommends that serious consideration be given to the newer concept of sentencing which provides that convicted individuals be sentenced to the corrections system generally, with initial admittance to a receiving and classification facility providing for comprehensive analysis and evaluation.

The committee deplores that such negligible progress has been made toward an effective evaluation of individual needs. Reviewing past reports of special commissions, the committee notes that as long ago as 1953, the Department of Corrections was urged to make adequate provisions for a diagnostic reception center within the classification process. The Report of the Unpaid Commission Relative to Prisons (January, 1953), chaired by Senator Leslie B. Cutler, recommended the establishment of a "comprehensive treatment center", which would process a convicted individual before his sentencing and assist a panel of experts in the rehabilitative process in forming a treatment plan for each offender. The Report of the Governor's Commission to Study the Massachusetts Correctional System (1955), made a similar recommendation, resulting in an authorization (Chapter 770 of the Acts of 1955) for such a reception center. Funds for the facility were not provided, however, until the 1972 Legislature passed an appropriation of \$216,447. The need for a diagnostic reception center is imperative. The Corrections Department is apparently planning to establish such a facility at M.C.I. Concord, and the committee expects that the implementation of these plans will proceed with due consideration given to their urgency.

First and Youthful Offenders

The committee urges that a first and youthful offenders facility be established within the corrections system in order to facilitate the rehabilitation of younger people -- individuals under thirty -- who are committed to the Department of Corrections. The corrections system, while protecting society from members who manifest criminally deviant behavior, should strive to return to society as expeditiously as possible those members who have been rehabilitated. The present system fails to accomplish this, tending instead to school first and youthful offenders in criminal behavioral patterns. The committee has found numbers of boys, some as young as sixteen, incarcerated in maximum security institutions. The subjection of these individuals -- whose crimes are often drug-related -- to the mores and psychology of older, recalcitrant criminals, is inexcusable and self-defeating, as it renders the younger people prone to becoming either frequent or permanent residents of correctional institutions.

The need for a first and youthful offenders facility has been stressed in Massachusetts for many years. The Report of the Special Committee Investigating Unrest in Prisons (1954), the Report of the Governor's Commission to Study the Massachusetts Correctional System (1955), the Report of the Special Committee on the Reorganization of the Correctional System (1957), the Governor's Committee on Building Needs in the Department of Correction (1958), and the Special Committee on the Correctional System of the Commonwealth (minority report, 1960), have included

among their recommendations the construction of such a facility. The Department of Corrections, pursuant to its own recognition of this need, has explored the possibility of establishing a youthful offenders unit for at least ten years. Problems of location, optimum capacity, and fluctuating priority of the project in the Department's capital outlay program has delayed the effort to such an extent, however, that even the Bureau of Building Construction has found it necessary to inquire on several occasions whether the project was abandoned altogether.

In 1965, after some preliminary study and several previous capital outlay requests by the Department, the sum of \$100,000 was appropriated for "preparation of plans for a youthful offender facility" (Chapter 791 of the Acts of 1965). The Department made plans for a unit which would house from 150 to 300 young offenders in a rehabilitative environment and explored the possibility of using an existing building on the grounds of M.C.I. Walpole or M.C.I. Norfolk. The Department expressed its feeling that such a facility, lacking a sufficient number of industries to defray its operating costs, would be expensive to maintain; while construction of a new facility was estimated at \$5.5 to \$6.5 million. Most recent efforts of the Corrections Department to provide for the needs of young inmates have included a proposal to house and treat at least 12 youthful drug offenders at the former Shirley Industrial School for Boys, gradually increasing the size of the program to include approximately fifty people. The committee endorses such programs and urges their speedy implementation and expansion, as well as the development of similar rehabilitative

environments. While recognizing the need for austerity in budgetary considerations, the committee feels that establishment of an adequate youthful and first offender facility must be given high priority by the Corrections Department and should move as quickly as possible from the planning to the operating stage.

Drug-Dependent Inmates

The committee finds the use of drugs by individuals habituated or addicted to them prior to incarceration, and by individuals who become drug-dependent during their incarceration, to be an extremely serious and pervasive problem in the corrections system. Testimony has provided estimates ranging as high as seventy percent of inmates who have been sentenced for drug-related crimes. Prison shakedowns produce needles, assorted injectable drugs, drugs in pill form, many forms of marijuana, and so on; requests are made repeatedly at medical stations for tranquilizers, pain-killing drugs, and a whole range of amphetamines; and visitors are found participating in passing drugs from mouth to mouth with inmates and bringing them into corrections facilities taped to their bodies. Indeed, it has been said that the inmate has access to more types of drugs in greater quantities while living within the confines of correctional facilities than he would outside them.

Several views have been offered for dealing with the inmate who associates himself with drugs. One suggests that such individuals be allowed to live within the general inmate population: those who have been convicted for drug-related offenses but are not

addicted themselves would not require special medical treatment, while those who are addicted would be eligible for extensive medical care in the general corrections facility. The benefits to such an approach would result presumably from an increased ability on the part of the inmate to live within and adjust to his "community"; although there would remain the drawback of keeping an individual undergoing treatment within a facility where contraband drugs could become available to him. A second view suggests that drug-dependent inmates be directed to M.C.I. Bridgewater, where an addiction center is already in existence. This unit does offer many effective services for drug-dependent individuals; however, given the large number of such individuals who are currently housed within facilities of the Corrections Department, the committee feels that Bridgewater could not accommodate these adequately, with its current size and resources. Given the difficulties generated by maintaining drug-dependent inmates within the general population, and the virtual impossibility of treating all these individuals at M.C.I. Bridgewater, the committee must conclude that a separate and distinct facility must be established for the rehabilitation and treatment of drug addicts. Not only must these inmates be placed in environments where they may receive proper medical care and correlative social services, but they must be separated from the general population in an effort to protect the larger group, as well. Norfolk County District Attorney George Burke indicated to the committee that drug addicts living in the general population increase the security risks and may cause

other inmates to become drug-dependent.

For these reasons, the committee strongly supports the creation of a facility which will offer intensive medical care and a variety of social services oriented toward the particular needs of drug-dependent inmates. The Corrections Department, as mentioned earlier, has instituted a model Narcotic Addict Rehabilitation Program for youthful offenders; the drug program has been implemented with the assistance of a federal grant in the amount of \$86,000 and involves not only innovative treatment of inmates, but special training for corrections officers. The committee awaits a report of this program's progress and expects that continuous efforts to review and heighten its effectiveness will be made by the Department.

Halfway Houses

In addition to filling the rehabilitative needs of first and youthful offenders, and drug-dependent inmates, the corrections system must be responsive to the needs of the inmates who have progressed in their rehabilitation to such an extent that the nature of their confinement may be altered. This is the purpose of the halfway house, a far reaching development in inmate rehabilitation designed to place more responsibility upon the inmate for his own conduct by placing him in a less constrained institutional setting. The record of success of such projects is currently somewhat limited, although the committee feels that this may be due more to the newness rather the inadequacy of the concept.

The Commissioner has indicated that the Corrections Department offers its full cooperation to communities which express an interest in participating in projects of this type. Four communities currently host such facilities, including Boston State Hospital in Mattapan, Brooke House in Boston's South End, the Peaceful Movement Committee Center in Cambridge, and the Roxbury Multi-Service Center in Roxbury, and at least four more are due to open before the fall of 1973. Mr. Scott Armstrong, Deputy Director of "Massachusetts Halfway Houses", has informed the committee that recidivism in halfway houses has been cut from 68% to 29% after two years of release. He further indicated that there is a great reduction in the costs of inmate rehabilitation: such costs for one inmate in the present system are estimated at \$40,625, while similar care in the halfway house is estimated at \$1,500.

The committee encourages the establishment of facilities which offer the dual benefits of effective rehabilitation and financial economy to the Commonwealth. The location of such facilities within communities is said to expedite the reintegration of the inmate into society. The committee further notes that eventually there may be an arrangement whereby the inmates occupying such facilities will do so under contractual terms, agreed upon by an inmate and the Corrections Department -- the achievement of certain predetermined behavioral, social, and vocational goals would be the grounds upon which parole would be granted. The committee favors the exploration and testing of such alternatives to conventional internment and strongly supports concepts which promote the speedy return to society of inmates who demonstrate their rehabilitation.

The committee is also aware that offenders who demonstrate their capacity to handle less limiting environments can be sent at the present time to one of the forestry camps operated by the Commonwealth. The committee encourages the Department of Corrections to consider increasing the use of these forestry camps wherever it would benefit the rehabilitative progress of the inmate and perhaps as an intermediate step for the inmate who does not need the restriction of a security prison, but is not yet ready to adapt to the half-way house form of residence.

III. DISCIPLINE AND SAFETY

Maintaining discipline and ensuring safety must be paramount considerations in environments such as those of the corrections system, where the pressures of group living, deprivation of certain freedoms, imposition of routine, and a wide mixture of personality types and behavioral tendencies combine to create a potential if not actual atmosphere of tension and frustration. The committee has directed its attention to many aspects of rehabilitation -- employment, education, medical treatment, and so on -- but also has found it necessary to consider those factors, discipline and safety, which are essential to the continuity of rehabilitative services. Such matters as segregation, "shakedowns", flexible good-time, paroles, and pardon are critical in this regard, all seeking to promote in various ways order and good behavior in the institutions.

Adjustment Center

The committee feels that the "adjustment center", referred to in its earlier form as a segregation unit performs a number of necessary and important functions in the correctional system. Such a center ideally constitutes a separate facility where intensive psychiatric care and counseling are available in a situation imposing disciplinary constraints on an inmate's behavior, chiefly for his own protection and well-being. A facility of this nature serves several purposes, including deterrence of gross misbehavior,

intensive individualized care, safety of the general population as well as the inmate involved, and preservation of order. By separating an inmate from the larger population, an adjustment center imposes a certain degree of isolation on him, thereby preventing him from keeping abreast of current institutional events and participating in the normal, day-to-day activities of the general population; such isolation is typically viewed as a hardship, and therefore the possibility of having it imposed may serve as a deterrent to persistent and violent misbehavior. Where such deterrence is ineffectual, and serious misbehavior occurs, the inmate involved would be transferred to an adjustment center to be afforded psychiatric evaluation and care, counselling and other social services in an effort to promote his rehabilitation and better equip him for living more freely within the larger population. Finally, since inmates may be segregated for engaging in unacceptable behavior which endangers the lives of others, the adjustment center would constitute an area where such individuals could be housed until they exhibited less hostile and aggressive tendencies.

In the past, a segregation unit was maintained at M.C.I. Bridgewater; primarily because of inadequate plumbing, this facility was closed in February, 1972, following inspections made by the Commissioner of Corrections and the Governor. At the unit, inmates were confined to separate cells for approximately twenty-three hours in each twenty-four hour day, receiving meals in their cells and being removed for brief, supervised exercise or smoking periods. At the present time, between thirty

and forty inmates are housed at M.C.I. Bridgewater, in protective custody at their own request, in cell blocks identical to those which previously housed so-called "incorrigibles" or "intractable individuals" (although the "p.c.'s" are not confined to their cells during the day).

Administrative officials, corrections officers, and inmates have expressed repeatedly the need for some facility where extremely hostile and aggressive individuals may be detained and treated for a period of time. Inmates who create severe disciplinary problems or threaten the lives of others in a medium security environment may be transferred to one which offers maximum security, while those who are housed in a maximum security institution may be confined further in the segregation unit at Walpole, where the specialized services of a well-equipped adjustment center are currently unavailable. In comparison to the 2% recidivism rate at the former Bridgewater segregation unit, the Walpole unit also fails to serve as an effective deterrent to continued misbehavior.

The committee believes the existence of an adjustment center combining the security of a segregation unit with a variety of supportive and corrective services is critical to the disciplinary and rehabilitative demands of the corrections system. Such a facility would provide the option of isolation from the general population of those inmates who manifest grossly deviant or aggressive behavior, while helping them to learn or accept norms which would facilitate their entrance into the larger community.

Such a facility would serve both as a deterrent to serious misconduct and as an aid to correcting tendencies toward such behavior should it occur. The committee notes that the recently appointed superintendent of M.C.I. Walpole has caused the transfer of some nine inmates to institutions outside the bounds of the Commonwealth within the federal penal system. The transfer of these inmates was necessary in order to remove them from an institution where they allegedly caused friction within the inmate community. Upon their application in Federal Court, two federal judges in the First District ordered the return to Massachusetts of two inmates transferred into the federal system (to federal prisons in Georgia and Illinois, respectively). The committee understands that the arguments upon which this order was made have as their basis that the transfer of inmates outside the bounds of the Commonwealth was illegal without a hearing. This action by the court only further points up the need for a departmental adjustment center located within the Commonwealth as a component of our corrections system.

The committee therefore strongly supports the establishment of a departmental adjustment center -- in a location selected by the Commissioner. The committee supports, of course, those procedures for assignment to the adjustment center which meet all the constitutional and statutory rights of the inmate.

Shakedowns

The lives and property of individuals in the corrections institutions can be safeguarded only if adequate measures are taken to ensure that weapons and other instruments -- either makeshift or purchased -- are not stockpiled. Frequent and rigorous shakedowns, the use of metal detectors wherever installed, the

continued employment of matrons to check female visitors, and social workers, and members of other outside groups, and the substitution of safety items for more typical products -- e.g. plastic utensils for metal eating implements -- appear to be methods by which institutional environments may be rendered more safe for inmates, officers, maintenance employees, and all others who frequent the facilities.

The committee believes there has been undue laxity on the part of many corrections officers regarding the regularity and intensity of institutional shakedowns. Months are allowed to pass between block searches and during the long interim periods, hand-fashioned knives, clubs, guns, needles for the injection of drugs, and purchased weapons secreted into the facilities accumulate in great numbers. The long intervals between shakedowns have been attributed to personnel shortages, but the committee feels the high priority of maintaining institutional security demands that every effort be made to conduct careful searches at least once each week, if possible, and cursory searches on a daily basis. Recent disclosures from the major shakedown conducted at M.C.I. Walpole (as a result of which hundreds of illegal weapons and drugs were uncovered) only illustrates the committee's belief that this shakedown was long overdue and similar shakedowns are urgently needed. Failure in the past to install speedily metal detectors or have a female matron on duty, has created situations where drugs, guns and ammunition could be carried into the institutions and accumulated, as the Elliot incident tragically underscores. The committee supports use of these safeguards on a regular basis in the future. Further, the committee encourages the Department to study the possibility of replacing potentially dangerous items with products less conducive to conversion into lethal weapons. The committee expects that every effort will be made by the Department

to evaluate continuously facilities and items which may constitute unsafe factors or potential hazards. Indeed, the committee expects that every consideration will be given to controlling and reducing the current rate of weapons production and accumulation in corrections institutions.

Parole

The membership of the parole board has recently undergone alteration as a result of statutory changes in this area. Chapter 994 of the Acts of 1971 both expanded the number of individuals comprising the board and established more rigorous qualifications for membership. Earlier provisions relative to qualifications were comparatively vague: no guidelines existed for selection of qualified applicants, and no committee responsible for selection existed either. Chapter 994 sought to reduce this uncertainty by establishing a selection committee (whose choices of candidates for vacancies on the parole board remain subject to final approval by the Governor) with authority to review applicants upon the basis of their training and experience in fields such as probation, law, law enforcement, psychology, sociology, social work, and so on. The committee notes that members recently appointed have backgrounds in several of these areas and expects that continuous efforts will be made to select individuals capable of high-level performance in consonance with legislative intent, for appointment to the parole board.

Reform relative to Section 133 of Chapter 127 of the General Laws --

the so-called "two-thirds parole" law -- has generated much concern as well as confusion in recent years. The law in its present form allows the Commissioner of Corrections to recommend parole for any inmate (excluding those convicted of sex or violent crimes) who has served two-thirds of his minimum sentence. He also has authority, however, to recommend offenders for parole after only one-third of their sentence has elapsed. Former commissioners either did not have or failed to use this option, accomplished with the use of administrative discretion; while the present commissioner has availed himself of such opportunities to review inmates' behavior and permit them to come before the parole board within shorter periods of time than would be allowed under the generally prevalent two-thirds procedure.

The General Court has been hesitant in the past few years to make further changes in existing statutes pertaining to parole regulations, since administrative procedures are currently available to accommodate cases in which parole is merited following completion of one third of a minimum sentence. The committee concludes, therefore, that legislative change is not necessary to establish parole eligibility on a "one-third" basis; the committee remains open to considerations of such revision, however, should this administrative option be overlooked or neglected, or should it prove to be unduly cumbersome in terms of the departmental workload. The development of such factors could necessitate that existing statutes be re-examined and revised.

Parole has become an important factor in reducing the populations

of corrections institutions: in 1971, nine hundred inmates were paroled, and in 1972 the number of inmates paroled was estimated at thirteen hundred. The possibility of being granted parole, however, does not reach every inmate. A small percentage of apparently intransigent inmates with long records of misconduct followed by disciplinary action are ineligible to come before a parole board and hence may be released (upon completion of their entire sentence) without benefit of any post-release parole supervision. The committee recommends that all individuals who complete sentences without occasion for parole supervision be eligible for job assistance and other supportive services which parole supervision otherwise would have made available. "lifers" constitute a second group of individuals ineligible to have their records reviewed by a parole board. Inmates have repeatedly indicated to this committee that sentences of life imprisonment frequently lead to the development of negative attitudes toward rehabilitation and respect for institutional discipline, since they have no hope of returning to society on parole. The committee has not considered questions relative to revision of the criminal law of the Commonwealth but feels reform in matters of life imprisonment (incurred for crimes which are frequently motivated by passion, rather than psychopathic criminal deviance) may be worthy of future study.

The McKay Commission on Restructuring the New York State Prison System has recommended that clear standards be established for denial or granting of parole, and that explanations of parole denial be furnished inmates. The committee feels current standards for granting parole in Massachusetts are not arbitrary, and expects that efforts will be made to explain action in those cases where

parole is denied. Inmates have suggested the additional reform that members of the community to which an inmate is expected to return be allowed to testify before the parole board in order to give their opinions of the inmate's respective rehabilitative progress. The committee favors procedures which help establish a clear image or evaluation of an inmate's behavior, but does not feel that community opinion would be sufficiently free, in the majority of cases, of strong prejudices; acute discrepancies, for example, would tend to exist between opinions offered by relatives and friends of the inmate, and those offered by relatives and friends of the victim, where the crime was perpetrated upon another person.

Pardon

Pardon from a criminal record or pardon involving commutation of sentence is obtained through application to the Executive Council. The committee has received testimony, however, that this avenue to full re-integration of the ex-offender into society has been subjected to unfair financial and political manipulation. Without being in a position to substantiate or verify such allegations, the committee suggests that a Board of Pardon be created to review regularly the records of inmates released and evaluate their behavior and progress, in conjunction with the Parole Board. The establishment of such a group could eliminate the possibility that private pressure may influence decision-making relative to pardons. The committee would expect that a duly constituted Board would infuse this aspect of corrections with a higher degree of neutrality than may exist at present in the Executive Council.

Good Time

The committee has heard suggestions from corrections officials, cor-

rections officers and inmates that some form of "flexible good time" should be available to inmates who complete high school equivalency courses, other educational or vocational training sequences, provide services to our state hospitals or perform satisfactorily in various job-tasks he is assigned in a prison industry or in extra-institutional work-release programs. The statutes that govern good-time deductions at present are limited both in the amount of the deductions possible and the range of activities such deductions are awarded for. Good-time deductions are given for "observing all the rules of his place of confinement" and behavior which has not merited any disciplinary action by the administration; they are available to all offenders who are incarcerated for more than 4 months in a corrections institution. Depending on the length of the offender's commitment, the deductions awarded for good behavior range from 2 and a half to 12 and a half days a month and these deductions are simply subtracted from the maximum sentence the offender must serve. Additional good-time deductions are allowed the inmate for blood donation (5 days for each pint of blood the inmate donates) but he or she is limited to one such donation every eight weeks. Good-time deductions given for blood donations cannot be forfeited by subsequent misbehavior by the inmate, but those given for good behavior can be partially or fully forfeited if the Commissioner of Corrections, the County Commissioners or the Penal Commissioner of Boston decide this punishment is merited. Deductions for good time are not available at all to persons incarcerated for commission of a sex crime.

The committee recommends that the superintendent of the corrections institutions/ⁱⁿ which the offender resides, be given the authority to award additional good-time deductions for behavior or achievements

on the part of the inmate which is meritorious. These additional deductions from the inmate's sentence should be non-forfeitable. Since good-time deductions now and these additional deductions, if instituted, also act to reduce the minimum sentence the offender must serve in order to be eligible for parole, the committee believes this procedure would serve as a positive incentive to the inmate to make his incarceration a personally rewarding experience rather than approving the present practice which on its face seems to encourage mere time-serving.

IV. EDUCATION

It is apparent to the committee that there are large numbers of individuals within the inmate population who desire more and better education than is available at the present time. Few inmates take advantage of existing educational opportunities -- students constitute as little as ten percent of the overall population at times; but figures for potentially interested students have been estimated as high as 80 to 90 percent. This gross disparity must serve as an indicator of the unsuitability or ineffectiveness of current educational programs in meeting the needs and interests of inmates. The committee is aware that educational levels of individuals upon entry into the corrections system are compararitively low; some inmates are able to earn GED certificates during their incarceration; others, however, are unable to avail themselves of the benefits of junior high and high school subjects because their prior formal education extended only as far as the fourth or fifth grades. The committee expects that efforts will be made by the Department to meet these lower grade level needs of inmates. The committee feels that strong motivations exist behind the educational requests of inmates and that certainly such motivations may be encouraged or developed through the application of proper teaching techniques. Numerous cases of inmate self-education parallel and exceed those of individuals outside the corrections system. In recently instituted computer training courses, inmates have responded so well that they have been able to serve as teachers for others enrolled in the program -- with higher

learning successes than those of civilian teachers employed in similar positions. The committee notes that education has been assigned a low priority in the Department's budget (only one percent is spent on education while far higher amounts are devoted to this item in other states); concomitantly, coordination and goal setting for educational programs have been indefinite or lacking altogether. The committee urges that consideration be given continuously by the Department to improving existing educational programs. The committee does not believe that such improvements, even if extensive, will necessarily be at high cost to the Commonwealth. Indeed, the state may be able to profit directly from such changes: computer-trained inmates, for example, could be employed to carry out state projects which require extensive computations and programming. This was recently accomplished at M.C.I. Walpole, where the work of inmates saved the commonwealth \$80,000 over private costs competing for the same job. Future student-teachers from state colleges could be allowed to complete some of their requisite training within correctional facilities; under such a system, the cost of educational programs to the state would not be increased while inmate educational opportunities would be expanded. The committee believes that many current programs lack relevance to the inmate's future vocational needs and seeks improvements in this regard, as well as in general education. In both areas, it would be an abdication of the Department's statutory and implied responsibility for inmate rehabilitation to leave initiative to "self-starters". The committee feels that encouragement and inducement must be incorporated into educational programs--those within institutions and those beyond their confines; that vast improvements must be made in corrections libraries; and that consideration should

be given to the concept of a corrections school district.

Educational Programs

Many inmates find the range and depth of educational programs available to them limited and their content occasionally irrelevant. Inmates have expressed the opinion, however, that even existing courses may be helpful in alleviating the boredom of institutional life, particularly for so-called "lifers". The committee agrees that educational programs are lacking in many respects. No adult education courses are offered. The committee knows of only one course which is taught in Spanish for Spanish-speaking inmates seeking to learn the English language; yet there are approximately twenty-five Spanish-speaking inmates at M.C.I. Walpole, seventy at M.C.I. Norfolk and seventy-five at M.C.I. Concord.

The Department of Education has cooperated with the Department of Correction in providing academic courses for inmates. Teachers and principals have assisted in the instruction of inmates, and efforts have been made to structure course offerings to include both elementary and secondary school programs. The Department of Education has also made correspondence courses available to the inmate. However, all courses and programs are not available simultaneously within the corrections system and certainly not within any one institution. The committee has found little to indicate that innovative educational programs have been blocked or impeded intentionally by administrative officials, although charges of bureaucratic intransigence and an overabundance of concern for security have been made. Some institutions do not allow individuals to take advantage of certain educational programs unless they are within eighteen months of parole eligibility. Other programs evidently cannot be offered due to a lack of funds or

lack of teachers, or both.

Class attendance is generally irregular, a problem compounded by cross pressures upon the inmate's time. Frequently hours must be devoted to job assignments; such employment, in addition to preventing the inmate from devoting fuller attention to school work, may also prevent him from seeing an educational counsellor (employed during the day), who could assist him in structuring a personalized educational program. Even inmates who have visited such counsellors, however, subsequently have expressed their views that testing was inadequate and little effort was made to relate education received in the institution to future work. Some inmates testified before the committee that, especially in courses aiming toward the GED certificate, teachers have been known to supply answers to examination questions in order to produce certain quotas of graduates. The committee feels such inadequacies and practices render those programs which do exist meaningless and unrelated to challenges posed outside the confines of the institutions. The committee deplores the general lack of quality education for the offender and expects that consideration will be given by the Department to increasing courses and staff. The committee suggests that educational counsellors be available during evening hours to assist inmates in planning course schedules and overcoming conflicting demands upon their time. The committee seeks a more flexible corrections routine which will allow inmates who express an interest in studies to pursue such activities without constant interruption.

Both private industry and independent volunteers have made valuable contributions to inmate educational programs. Private industry has demonstrated its concern in numerous instances through direct con-

tributions of equipment and personnel. Honeywell, Inc., has donated a modern computer system to M.C.I. Walpole, where inmates consequently have been able to avail themselves of training in computer technology. I.B.M., Inc., has donated typewriters and other business machines to M.C.I. Framingham, where instruction in such office skills is offered. The committee expresses its enthusiasm and appreciation for such voluntary assistance to the Commonwealth and hopes that other industries will adopt similar practices; such donations incur minimal costs to companies involved, particularly in comparison to the great benefits which may be derived from them. Concurrently, volunteers from local school districts and surrounding communities have supplemented program offerings available to the inmate. A course in draftsmanship is currently taught at M.C.I. Concord, for example, five nights a week on a volunteer basis by engineers employed by the Raytheon Company (which donated the equipment necessary for teaching such a course). The committee expresses its concern, however, in relation to the draftsmanship course and photography instruction also offered at M.C.I. Concord, for the considerable and occasionally obstructive administrative red tape and security procedures which must be undergone by instructors before classes may be held.

The Commissioner has expressed his concern to the committee for educational programs which teach, train and motivate; the present status of such programs, however, is one of administrative fragmentation existing within an environment which renders quiet study virtually impossible, while standards and opportunities vary widely from one institution to another. The committee urges the Department to intensify its efforts in this regard, in order to expand and diversify fundamental course offerings and assist each interested in-

mate, whatever the level of his educational background may be. The committee recommends that needs for elementary education be determined throughout the correctional system and immediate efforts be made to meet these requirements. As suggested above, the committee strongly recommends that consideration be given to the use of student teachers from state colleges in filling staff needs; procedures which impede the instruction of worthwhile courses offered by volunteers must be minimized, within the context of maintaining institutional security.

Section 13 of Chapter 777 of the Acts of 1972 allows inmates to seek education unavailable within the corrections institutions, provided they are approaching parole eligibility, and the education desired would serve a significant rehabilitative purpose. The committee understands that community enthusiasm for inmates seeking to attend classes in local facilities may not be great. The committee feels, however, that such attendance is essentially comparable to the furlough concept, and adequate methods for maintaining attendance records could be devised to record the nature of the inmate's activities. The committee endorses such directions in corrections educational reform, and awaits program evaluations which give some indication of the nature of community feeling and reception of student inmates.

Libraries

The committee feels that general upgrading and expansion of educational programs in corrections facilities must be accompanied by similar attention to libraries in order that inmates will have books for reference, research and entertainment, as well as an area con-

ducive to quiet study and concentration. Libraries in corrections institutions presently subscribe to few magazines and periodicals of interest and exhibit a paucity of newer titles and "best-sellers" which could prove attractive to the inmate. Several inmates have expressed their concern over the absence of an updated and complete set of law books, as well as volumes on basic legal subjects in their libraries. Such materials would appear to be essential for those inmates seeking to inform themselves on aspects of legal proceedings in which they may be involved. A group of inmates on the Legal Committee at M.C.I. Norfolk recently met with library personnel at the institution in an attempt to express their requests for a "legal library"; the committee understands that little response to these requests has been forthcoming.

The low priority assigned to improvement of library facilities is largely due to severe budgetary constraints; the committee feels, however, that some effort should be made to alleviate the scarcity of reading material. The committee suggests that some form of public appeal be made by the Department relative to the need for books in corrections institutions; private citizens commonly donate whole collections of books to worthy causes or charitable organizations, or offer them for negligible prices at local auctions and sales. The committee feels that efforts made to collect books at least partly through donations, sales and auctions, could result in great financial savings to the commonwealth, as well as benefit those members of the inmate population who seek opportunities to read for purposes of research or entertainment. The committee feels that response from the general public would not be slow in forthcoming, if proper ad-

vertisement and explanation of the need were given in this area by the Department. Consideration in such an undertaking would have to be given, of course, to the setting of criteria for types of literature sought, in order that corrections libraries would be expanded with newer materials of interest to the inmates, rather than duplicates of unpopular or outdated titles. The committee recommends, in addition to projects such as that suggested above, that efforts be made by the Department to provide for improvement of institutional libraries within the regular budget.

Department of Correction School District

The committee has heard of no substantial opposition to proposals for a Department of Correction School District; The Department of Education has endorsed the concept, and the committee lends its support to further development of such proposals. A properly devised corrections school district could offer extensive advantages to the Department as a whole, as well as to the individual inmate. Both corrections officials and inmates would be involved in administering the district. Inmates would have opportunities to supply construction labor for classrooms, as well as furniture and items made in facility shops. Several state agencies, in addition to the Corrections Department, would participate in development and administration of the school district, thereby providing a new and broader base of inputs into corrections educational programs. The committee believes that cooperation between state agencies to achieve such a wider variety of inputs would increase the likelihood that comprehensive and stimulating educational programs could be established for both officers and inmates. Instructors hesitant in the past to

participate in corrections programs could be attracted if teaching positions were organized within a regular school district structure. The school district concept would necessarily lead to institutionalization of comprehensive educational planning for all corrections institutions, both state and county; uniform standards and equal opportunities for inmate education would be developed, while vocational, academic and other programs would be unified under one administrative head. The general accreditation of the school district would offer the additional advantage of making it possible for federal aid to be granted and applied (in an amount as high as one million dollars, from the Department of Health, Education and Welfare) to the Corrections Department's educational budget.

Several states--Texas, Illinois and Connecticut--have established corrections school districts which apparently are meeting with success. Testimony before the committee has indicated that linkages between corrections facilities and certain state educational institutions, such as the University of Massachusetts and the Board of Regional Community Colleges, already exist. The committee feels that such efforts to promote inmate educational opportunities would be strengthened through the establishment of a separate school district for the corrections department and recommends that every consideration be given to achieving such a system of rational planning and goal setting in inmate education.

V. WORK

The committee finds the existing opportunities and conditions of employment within the corrections system unsatisfactory. Industries within the institutions and those beyond the confines of corrections facilities (work-release) as well as wages and job placement require vast improvement, with particular attention given to modernizing and increasing the range of opportunities available. The committee seeks the establishment of types and conditions of employment which resemble comparable factors prevailing in the wider community, in an effort to promote the inmate's reintegration through occupational potential and experience.

Industries Within Corrections Institutions

Inmates, ex-inmates, and representatives of interested groups have repeatedly suggested to the committee that initiatives be taken by the Department to establish training sequences and industries within the corrections institutions which conform more closely with the outside job market. Electronics, refrigeration, air conditioning, television repair, hairdressing, and computer technology are among the areas that have been mentioned. The committee strongly supports the institution of such relevant employment programs and points out that Chapter 777 of the Acts of 1972 has given the Department discretion to proceed in these directions.

Inmates have traditionally produced goods and services which were of benefit to the state or local communities, well-known examples of this being the production of license plates and state and local

flags. Inmates have also manufactured furniture, concrete pipes, and dog identification tags, and have been employed in the maintenance of institutional premises. Efforts have been made, however, to establish industries aiming to prepare inmates for jobs outside corrections facilities; such industries and training programs currently include oil burner repair, sewage treatment, warehousing (fork lift school), welding, typing, bookkeeping, speedwriting, data processing, computer programming, upholstery, drafting, auto repair, as well as two apprenticeship training programs -- sheet metal work and printing and bindery work. Opportunities to participate in these activities are not evenly distributed, however, among the institutions. The committee seeks in this regard equality of opportunity as well as expanded opportunity. Additionally, the cooperation of labor unions is essential in these matters of employment, for inmates who complete apprenticeships in corrections institutions must be afforded opportunities upon their release for their entrance into appropriate labor organizations in order to use their skills profitably. The inmate union, if suitably devised, could serve a useful purpose in encouraging apprenticeship training and thereby promoting job preparation, and higher inmate wages.

Corrections officials have agreed generally that industries currently existing in facilities are outmoded. Inmate work slowdowns and strikes -- not always related directly to employment conditions but to other grievances as well -- have emphasized the need for the improvement and change in corrections industries. Prior to the enactment of Chapter 777, the chief option of officials in dealing with striking or otherwise unproductive inmates

was to confine them; additional options including the transfer of inmates to training programs or jobs better suited to their interests and inclinations, can be made viable under the new Act. The committee looks toward progress in this area and expects that attention will be given by the Department to dispelling the prevalent maxim that training received in corrections institutions prepares one for jobs found only in such institutions.

Under Section 14 of Chapter 777, a portion of the goods produced by inmates will be sold on the open market. Profits from the sale of inmate goods will be placed in a separate fund in the institutional budget, with some of the monies used for payment of industrial operating expenses. The committee notes that the success of this approach will depend to a great extent on the saleability of goods produced. Such compensation could provide incentives for the production of high-quality goods; but it also closely ties the prosperity of corrections industries to the present unpropitious economic climate of Massachusetts. Implementation of the new approach to corrections industries must occur in a condition of job scarcity, as well as face a possible lack of any sizeable and constant demand for goods. The approach, heavily dependent upon prevailing economic conditions, must suffer the consequences of stagnating or depressed periods; nonetheless, the committee supports the development of industries which reflect the larger community and thereby emphasize relevance and utility to the inmate.

Work Release

The corrections system traditionally has maintained some form of

work-release; but such programs have operated only in those facilities where work-release inmates can be separated from others, and where sufficient staff and means of transportation are available to take inmates to their individual assignments. Corrections officials have expressed their concern for extra security precautions necessary to prevent contraband from being smuggled into institutions by work-release inmates, and for budgetary constraints upon expanding such programs. Currently county facilities in Hampden Hampshire, Middlesex, Norfolk, Plymouth and Suffolk counties maintain work-release, limited in each case to ten or twelve individuals. State institutions apparently have fewer problems than county institutions with such programs -- possibly because inmates are confined to them for longer periods of time, lending more stability to these types of employment situations; M.C.I. Framingham, for example, has placed its inmates in community waitress positions for many years with few ensuing problems.

Sections 12 and 13 of Chapter 777 allow all inmates except sex and violent offenders (who need further approval) to take advantage of existing work-release opportunities. Currently this is the only means by which an inmate may earn a minimum wage -- he must be paid the same amount that civilian employees doing comparable work are paid. Conditions of participation in such programs include approval by the superintendent of the institution and the overseer committee (on which corrections officers are represented), and being within eighteen months of parole eligibility.

An evaluation of the work-release program at M.C.I. Concord indicates

that offenders having histories of violating discipline at the institution or having thirteen or more arrests on their records do not derive much benefit from these extra-facility work programs. The study further indicates that married inmates and those who have worked twelve months or more prior to incarceration benefit most from the program. The study, though limited in scope, provides some suggestions for criteria to be used in selecting inmates for the participation in work-release. It is apparent to the committee that careful exercise of discretion must direct such selection, particularly in view of the expense of such programs for staffing, as well as making arrangements with industries and businesses undertaking to employ inmates. Nonetheless, the committee urges that further consideration be given to such programs, in an effort to meet and develop the job potential of those individuals who demonstrate sufficient capacity and responsibility to handle this type of activity.

Wages

Wages earned by inmates who work within corrections institutions vary --generally from 25 to 50 cents per day--according to the complexity and difficulty of employment. The national average for inmate compensation varies from 10 to 65 cents per day (at least six states pay nothing while others pay up to \$1.30). Inmates in no state receive wages for work done within corrections institutions equivalent to those required for civilians under the Federal Minimum Wage Law.

The significantly low rate of compensation attached to inmate labor results from an industrial system which produces goods difficult to sell on a large scale on the open market. This has resulted chiefly

from statutory guidelines formerly requiring inmates to produce materials for which there was only a state or local demand. Suggestions have been offered at the national level to eliminate these older industries altogether and instead allow private manufacturers to maintain and direct the work of inmates. Under this system, private industries could establish branch shops within corrections institutions and pay inmate employees minimum wages for their labor -- perhaps higher amounts, depending upon the nature of the work involved. The committee urges the Department to establish at least apprenticeship training programs in which inmates would receive wages equal to those which civilian apprentices receive in comparable trades.

Innovations similar to those described above are, of course, highly dependent on the outside market conditions and hence subject to fluctuations of the general economy. The effectiveness of employment programs could be reduced sharply in the absence of a healthy economic climate. Nonetheless, the Commissioner is statutorily responsible for setting inmate compensation according to the profitability of corrections industries, under Section 48A of Chapter 127 of the General Laws (which states that he is to establish a "graduated scale of compensation to be paid inmates in accordance with their skill and industry"). The committee expects that with the implementation of Section 13 and 14 of Chapter 777 of the Acts of 1972, the profitability of corrections industries will increase as efforts are made to produce goods saleable on the open market. This will permit the Commissioner to raise inmate wages accordingly.

The committee feels that low rates of inmate compensation offer little incentive for productivity and fail to assist in the development of attitudes of financial responsibility. The view has been expressed that increases in inmate compensation must be undertaken cautiously due to the violence which may result from attempts to collect debts incurred by and among inmates. The committee would hope that inmates who receive more substantial wages would have special accounts established in their names, in order that portions of earnings could be saved automatically for future use while certain amounts could be contributed to the maintenance of inmates' families currently receiving forms of welfare assistance. Also, such funds perhaps could be used to reimburse the Department for damages arising out of riot activity, where applicable. The committee feels strongly that failing to afford the inmate an opportunity to organize and provide for his economic well-being (and that of his family, should he have one) is a major drawback of existing compensation levels. The committee therefore urges the Department to develop policies in this area which will afford the individual far greater latitude and opportunity than currently exists, in the establishment of a degree of financial security.

Job Placement

It is apparent to the committee that both labor and management generally express an attitude of hesitancy toward employment of former inmates, traditionally characterized as unproductive and lacking training and motivation. Additional concerns are related to the possible reluctance of other employees to work with inmates and to problems of security. The committee urges private

industry to cooperate with new public policy directions and suggests that legislative consideration be given to concepts such as corporate income tax deductions for the hiring of the ex-offender, in an effort to encourage such cooperation. Similar deductions could be allowed industries which donate equipment for inmate job training within corrections institutions. The committee feels strongly that ex-offenders possessing job skills and experience should be given opportunities equal to those of other workers on the market. Such equal opportunity indeed may necessitate that criminal records of inmates be expunged after a certain period of time has elapsed.

In order to promote the preparation of the inmate for his reentry to the job market, employment and industry within corrections institutions must be coordinated with outside conditions. The committee suggests in this regard that the Department of Corrections consult with the Department of Commerce and Development in an effort to ascertain which training sequences would be of greatest value to the inmate in terms of future employment. Similar consultations should be undertaken with representatives of pertinent private industries. The committee understands that private industry operates under various economic constraints; and its donations of equipment, personnel, expertise and perhaps understanding are circumscribed by economic considerations. The committee agrees that such interests are valid: industry, like government, has constituencies which must be satisfied, and efforts to assist the inmate apparently must operate within this framework. Nonetheless, the committee strongly encourages such attitudinal chan-

ges as will bring about greater cooperation between industry and government in the matter of eliminating employment discrimination -- which the inmate traditionally has had to combat alone. The Department of Corrections cannot succeed in its endeavors to institute job placement programs without community support. It may be able to provide an influx to the job market of responsible and skilled individuals; but such responsibility and skill inevitably will remain untested and unproven in an atmosphere of hostility toward the ex-offender.

VI. MEDICINE

It is apparent to the committee that vast improvements in the quality and delivery of medical services are urgently needed in Massachusetts corrections institutions. The numbers of stabbings and slayings that have occurred in past months have been greater than figures for any similar period in recent years. Per capita medical expenditures for inmate health needs, as reported by the Medical Advisory Committee to the Commissioner of Corrections and the Secretary of Human Services (December, 1971), vary widely among institutions; and budgetary allocations in these areas have been consistently low. Some form of 24 hour medical care is critically needed to handle emergency health situations ranging from knife wounds and drug overdoses to industrial accidents. Accumulated deficiencies in health care have become linked to feelings of gross insecurity among both inmates and corrections officers and have given rise to rumors of disparity in the treatment of officers and inmates in emergency situations. Indeed, health care in the institutions has become, to paraphrase the Medical Advisory Committee, difficult to term "medical".

The critical condition of medical services was dramatized this fall by the near loss of accreditation by the M.C.I. Norfolk Hospital. The hospital director was notified on August 21, 1972, that his facility would be inspected by the accreditation committee on October 3, 1972. In preparation for their visit, a drastic overhaul was undertaken of the hospital's basic administrative structure, equipment, supply levels, and premises, with the assistance of some

budgetary and procedural relaxation by the Department. Fortunately the hospital retained its accreditation. Had this been lost, a medical crisis undoubtedly would have existed, with the Commonwealth having no other recourse than to purchase costly outside medical services and to transfer inmates in need of health care to less secure institutions beyond the confines of M.C.I. Norfolk.

The Medical Advisory Committee's report described the ideal level of medical care in the corrections system as one which manages to "detect and repair existing defects, maintain a high level of health during incarceration, and insofar as possible, prepare, the convicted offender to cope in a normal manner with society when he returns to it". Recently the Department has responded somewhat to the Committee's recommendations; and this committee strongly endorses all administrative efforts to bring the ideal described above closer to reality.

Equipment and Supplies

There are great disparities among state corrections institutions in the availability of modern medical equipment and ordinary medical supplies. M.C.I. Framingham and M.C.I. Norfolk appear to be far superior in these regards to other facilities. Inadequate storage of drugs, particularly mood altering types, occurs in certain institutions and leads to increases in health and security risks, particularly as inmates accumulate and bargain with such materials. Shortage, as well as misuse of supplies and equipment is an overriding concern, making it difficult to maintain adequate staff levels as personnel refuse to work in sub-standard facilities. Large items such as ambulances are also lacking -- none are attached to any of the corrections institutions,

or to M.C.I. Norfolk Hospital -- so that outside transportation sources must be relied upon in emergencies. In an environment where emergencies frequently occur, it would appear that such deficiencies could seriously impede the rapid delivery of medical care.

A lack of human blood supplies constitutes an additional critical problem in corrections facilities, particularly in view of the high incidence of violence resulting in serious blood loss to inmates and officers. An increase in the number of cases of infectious hepatitis has demanded a modification, and in some instances curtailment of former procedures for getting blood donations from inmates and officers. This problem not only denies non-infected prisoners the option of donating blood for good time deductions, but also involves an expenditure of \$15 a pint for commercial blood, as this is needed. Realizing the necessity for strict medical safeguards against the danger of hepatitis infection, the committee supports the reinstitution of blood donations by the inmates to increase the supply of plasma products which can be secured from such blood. This will offer some emergency protection to both inmates and officers, as well as revive the statutory benefits relative to good time deductions.

Procedures and Premises

Differences between civilian and corrections medical care are emphasized by great discrepancies in the comparative adequacy of general premises and procedures. No physicians are available to make daily ward rounds in corrections health units; inmates seeking

to consult a doctor must wait in long lines (averaging, for example, 223 inmates at M.C.I. Norfolk daily) to receive only a few minutes of cursory diagnosis, while inmates in isolation units have even fewer opportunities to see a physician. Indeed, actual care may be more custodial than medical, constituting upon entry a sort of security search rather than a genuine attempt at analysis and diagnosis. The report of the Medical Advisory Committee indicates a general inadequacy in the maintenance of medical records: "Psychiatric histories are not routinely included in the medical record. Histories of drug and alcohol use are not taken. Neurologic examinations are apparently superficial... Basic blood studies are not generally performed..." The committee feels the absence of a rational record keeping system for medical histories critically handicaps staff assigned to deliver health care. A further lack of accurate, centralized budgetary record keeping renders it impossible for medical administrators to economically structure and devise health programs. The committee looks toward progress in the procedural areas with the recent initiation of the Model Prison Health project and awaits evaluation of its effectiveness.

Many of the buildings in which corrections health facilities are located are antiquated and have recurrent sanitation problems. At M.C.I. Norfolk Hospital, trash, posing both fire and health hazards, has been seen in stairwells. The situation has been described by a Walpole inmate as constituting a veritable "pig pen", which renders inmates "afraid to get sick". Bloody sheets, reeking mattresses, filthy rooms, walls in need of painting, and windows and light bulbs in need of replacement characterized so-called health units.

The committee deplores the existence of such conditions and feels strong policy positions should be taken by the Department regarding the allocation of resources for improving archaic medical facilities. (In the case of M.C.I., Bridgewater, plans are currently being made for the construction of a six million dollar state hospital.) The committee expects that a careful and extensive evaluation of medical need will be made by the Department, with due regard given to the high priority health matters, so that programs and estimates may be given serious consideration by the Legislature.

Physician, Dentist, and Nurse Personnel

The committee finds that medical facilities suffer a critical staff shortage which makes it impossible to provide care in both routine and emergency situations. Staff are either lacking altogether, or overly burdened by the sheer volume of requests for medical care; or, in some instances, hampered by the imposition of institutional security procedures. (This occurred at M.C.I. Norfolk during the summer, in which case medical help could not reach wounded and dying inmates and officers because guards were not present in the hospital area to unlock doors between the hospital and the building in which the injured were lying.) Drug- and alcohol-dependent persons mixed in with the general population create additional treatment needs which consume the time of regular staff and frequently lead to great delay in the examination of others waiting in "sick-lines".

Among other problems, the committee has heard reports of medical

personnel being paid full-time in some instances for part-time work. The committee deplores the existence of this practice and expects the Department to investigate and eliminate any instances of its occurrence. Such illegitimate payment deprives inmates of much-needed health care, and provides positive reinforcement for the stereotypic belief that "white collar" fraud goes unchecked and unpunished -- neither of which effects does the committee wish to see perpetuated.

The committee notes that staff positions have been available at various levels in the health care system for some time. Such positions include , among others, nursing personnel at M.C.I. Walpole, Norfolk, and Framingham. It appears that salary schedules and employment benefits for such personnel are outdated and noncompetitive, and hence unattractive to the majority of professional men and women. The nursing schedule, for example, has not been upgraded to comparable civilian levels for seventeen years; while the hospital director at M.C.I. Norfolk is paid only \$24,000 annually, while comparable and perhaps far less demanding civilian positions could offer twice this amount. Such discrepancies between corrections and civilian pay scales perpetuate the problems of high turnover, vacant positions, employee dissatisfaction, and poor health care. The committee strongly recommends that medical salary schedules be immediately upgraded by the Department to make them more consistent with civilian monetary expectations.

The committee encourages the Department to explore staff and facility resources of state hospitals, in an effort to supplement

the meager resources currently available to inmates. The committee understands that the use of private facilities may be necessary in cases where major surgery or other highly specialized services are required. The committee supports such liaisons and agreements, as these are formulated with due attention to the costs of providing adequate and comprehensive health care, as well as to security needs created in cases of special transfer.

Paramedics and Volunteers

The hiring of paramedics by the Department to assist the physician staff is an encouraging measure, particularly in view of incidents such as a strike at M.C.I. Walpole over, among other grievances, the unavailability of even minimal health care in an emergency. Paramedics, however, can operate no more functionally than highly trained medical personnel, in poor facilities with inadequate equipment and insufficient supplies. Nonetheless, paramedical personnel under more optimal conditions could reduce significantly the pressures upon other staff members and therefore could be of critical importance in the day-to-day operations of health units.

The committee has been informed that a good deal of voluntary service is provided by local medical students and personnel from teaching hospitals, particularly at M.C.I. Norfolk Hospital. In addition, the part-time or consultant services offered by some 35 physicians make it possible for the inmate to receive general surgical care, oral and orthopedic surgery, anesthesia, dermatological, neurological, and ophthalmological services at the Norfolk Hospital, recently highly upgraded and reorganized under the commendable work

of Dr. Richard Dellapenna, the Hospital Director. The committee hopes this significant work will serve as a foundation and example for a similar effort to upgrade health care in all the corrections institutions. The Lemuel Shattuck Hospital has been a valuable resource for Dr. Dellapenna's recruitment efforts. The committee notes the invaluableity of all volunteer efforts and hopes such ties will be strengthened and expanded for the benefit of both inmates and prospective or young practitioners; however, the committee feels that budgetary allocations in this area can no longer be neglected and expects that high priorities will be assigned to the services of medical personnel.

Counseling

Past legislative reports on the corrections system have emphasized the need for services of professional counselors trained in various areas; and this committee also recommends that counseling staff be increased and upgraded. Existing services rely heavily on voluntary efforts and isolated, piecemeal responses to inmate demands, rather than upon an overall departmental program. Consequently the inmate often receives assistance solely upon the basis of what is available, rather than according to his specific needs. Apparently the Department is currently making efforts to increase and improve counseling in the institutions as well as provide for community follow-up release. The committee expects that such additional services, combined with improved classification techniques, would aim to meet the individual need of each inmate. Evidence seems to indicate that regardless of the quality and quantity of

counseling staff, such activity tends in many cases to be rather suspect by the inmate. The committee feels much of this is caused by the sporadic, unprogrammed efforts which are made, leading the inmate to believe that his interests and needs have an exceedingly low priority in the so-called "corrections" system. Such estimates naturally lead to mistrust, disinterest, and finally avoidance of the services themselves. The committee feels this must be remedied through a major evaluation, professionalization and redistribution of counseling staff throughout the corrections system, in an effort to complement health care and assist the inmate in his reintegration into the community.

Inmate Medics

The committee encourages the training and employment of inmates as para-medics, where such inclinations are expressed. Specialized programs to teach interested inmates various aspects of health care -- L.P.N. courses, basic laboratory skills, dental hygiene, and so on -- could be devised for such purposes, rather than relying only upon on-the-job training. The benefits of inmate medic programs are at least threefold: 1) they would provide a readily available source of medical assistance, since inmates are present at the institution for 24 hours a day; 2) they could absorb many routine matters which currently occupy the time of professionals trained to deliver more sophisticated health care; 3) skills taught and experience gained would provide the inmate with a potentially marketable expertise upon release. (Apparently the Model Program for Improved Prison Health Care initiated in November of last year

has been oriented toward the attainment of such objectives.)

The committee is aware of findings of the Medical Advisory Committee which indicate that inmate medics have practiced minor surgical procedures without the supervision of a physician, and have been partly responsible for dispensing certain medications without proper recording procedures and authorization. Clearly such dangers are created by the failure to train and supervise properly the work of inmate medics, and underscore the need for structure courses of instruction. The committee is confident that appropriate instruction and adequate professional staff would render the inmate medic an integral component of the health delivery system; the committee notes that inmate medics trained at M.C.I. Norfolk Hospital played an invaluable role as a Resident Medical Advisory Committee during the recent accreditation controversy. Reliance upon such assistance could significantly ~~reduce~~ health care delivery costs, as well as provide many inmates with meaningful and dignified occupational potential upon release.

VII SOCIAL DIMENSIONS

The committee feels activities impinging upon the inmate's sphere of social relationships -- whether these involve family members or friends living outside the institution, or other inmates and corrections officials within the facility -- play significant roles in promoting his re-integration into the community, and in making the daily routines of institutional life more tolerable. The committee therefore has given consideration to policies relative to visiting, personal communications (including telephone calls and mail delivery), and the media and outside groups; and to matters of prejudice and animosity based upon racial or ethnic differences.

Visiting and Furloughs

Visits and similar privileges exist chiefly to promote the maintenance and development of social relationships by inmates. Friends and relatives, except those on parole or who have past criminal records, generally are given passes for limited periods of time and may visit institutions on a regular basis. Occasional conjugal visiting privileges are allowed married inmates at some institutions. It has become increasingly clear, however, that present arrangements for the maintenance of family and friendship ties are somewhat limited; in an effort to increase opportunities for the development of personal ties, Chapter 777 of the Acts of 1972 contains a provision allowing furlough privileges to be granted for purposes of inmates visiting their families and friends on holidays and other special occasions. During the latter part of 1972,

this policy was implemented and met with almost complete success -- inmates for the most part returned to their respective institutions as their eleven-and-a-half hour passes expired. The committee calls attention to the legislative intent embodied in such furlough provisions which was to provide inmates an opportunity to prepare for their ultimate release as well as to meet such pressing obligations attendant upon family illness and deaths as may occur. Thus the law provides furloughs for the purpose of contacting "prospective employers", to "secure a suitable residence for use upon release or discharge" or "for any other reason consistent with the re-integration of the offender into the community". The committee believes the legislature never intended furlough privileges be given to newly committed offenders serving lengthy sentences and certainly not to inmates awaiting trial on additional charges. In one recent instance, an inmate with an extensive criminal record was granted a furlough within a month of his commitment although additional charges were still pending against him. This inmate failed to return upon expiration of his furlough (granted for holiday observances) and is still at large at this writing. The committee feels that this is an obvious, though unusual, abuse of the furlough program and the legislative intent behind the statutes governing the program. This incident arose despite the administrative safeguards mandated by the Department of Corrections for selecting furlough candidates. The committee suggests that the continued success of this program, the existence of which tends to be jeopardized by any failure of inmates to return (engendering strong community reaction), will depend largely on the judicious exercise of discretion by officials in selecting fur-

lough candidates and the responsibility of inmates who are chosen. The committee strongly urges that the Department of Corrections clarify existing policy which governs the screening of inmates for furloughs and ensure communication of policy in this area to the screening boards and superintendents at the various institutions.

The committee believes that visits of families and friends constitute an important factor in the inmate's life, ameliorating feelings of isolation from society and from cultural and ethnic traits coloring his former community. Visitors should be allowed generally easy access to areas set aside for social activity in corrections facilities; the committee urges, however, that proper attention be given by corrections officials to security and disciplinary breaches which may occur as a result of the importation by visitors of weapons, drugs and contraband. Consistent use of metal detectors and the employment of matrons to oversee the entry of female visitors to institutions constitute significant precautionary measures in this area, necessary to avoid the recurrence of incidents such as that involving the Elliots at Massachusetts Correctional Institution, Norfolk.

Personal Communications

Personal communication of inmates with individuals outside institutions is limited by regulations relative to mail and telephone calls. Each inmate apparently is allowed to make one telephone call weekly, although practices relative to this regulation vary widely among institutions. In some facilities privileges are extended, while in others disciplinary and security considerations -- and in some instances arbitrary decision -- lead to unpredictable

curtailment of privileges. Norfolk County District Attorney George Burke expressed the opinion to the committee that inmates direct underworld operations and develop intra-, inter-, and extra-facility connections of a criminal nature through the use of such telephone calls. District Attorney Burke felt that such privileges, therefore should be severely curtailed. The committee believes that telephone calls in some cases may be the only means by which inmates maintain their family and social relationships; it does not agree that unilateral restriction or severe curtailment of the privilege would solve the problem of occasional abuse. Emergencies such as deaths or family illness particularly necessitate that inmates have access to speedy modes of communication. The committee does not feel that privileges typically are denied inmates, although it urges that greater attention be given to equalizing opportunity for the exercise of such privileges. Security breaches must be handled individually and upon adequate evidentiary grounds, with proper consideration given to due process, rather than generally, with punitive implications for the entire population.

The flow of mail in institutions also is restricted. The content of letters and packages is examined and may be subject to censure. Inmates repeatedly have expressed their feelings that delivery of mail is inordinately delayed and minority-group inmates who receive mail written in languages other than English (e.g. Spanish) experience additional delays in the receipt of mail, as correspondence is translated and examined by officer-censors. Both the Roscoe Pound American Trial Lawyers Foundation and the McKay Commission on Restructuring the New York State Prison System recently

published reports advocating the abolition of censorship of mail. The committee urges the Department to consider the viability of such proposals in setting its own policy guidelines; and feels that every effort should be made to eliminate delays resulting from inefficiency or arbitrary action in the receipt of mail by inmates.

The committee understands that policy relative to communications is subject to regulation by individual institutions; and expects that efforts will be made to insure non-discriminatory application of policy. The committee urges that corrections officers belonging to ethnic and minority groups be hired, in order that any translation of communications which becomes necessary will be accomplished speedily. The committee further urges that policy relative to communications be reviewed and re-evaluated in an effort to determine whether privileges are adequate or may be augmented incrementally, with due attention to both security and equity.

Relations with Media and Outside Groups

Representatives of television and radio stations and newspapers are allowed access to corrections institutions, subject to the discretion of superintendents regarding time and place of meeting, and numbers of individuals allowed to congregate at once. During periods of disturbance, representatives of the news media may be denied access to institutional premises, depending upon the extent, duration and severity of prevailing conditions. Inmates have expressed their feeling to the committee, relative to such denial, that circumstances surrounding and regulating their day-to-day activities have not been given adequate coverage, leaving the public

unaware of existing problems in institutional life; while a number of administrative officials have testified that representatives of the media consistently present biased depictions and narrations relative to procedures and conditions within corrections facilities, exaggerating problems in order to achieve a degree of sensationalism. Officials have further expressed their view that inmates tend to abuse opportunities for discussion with media representatives by over-emphasizing the negative aspects and occasional notorious incidents occurring within facilities.

The committee feels that media coverage serves at least two useful purposes -- it brings issues relative to the corrections system before the public, and it gives inmates an opportunity to express their opinions and grievances with some assurance that these will be transmitted to the community at large. The committee would hope, however, that depictions and narrations of conditions in corrections facilities retain high standards of accuracy and remain equitable to all parties concerned.. The committee emphasizes its feelings that continued access of media representatives to institutions is contingent upon the objectivity of reporting on issues involved. Although the direction and level of public interest in corrections issues is difficult to foresee, the committee suggests that an absence or laxity of self-regulation by media industries, in relation to objectivity, may have the negative effect of generating public sentiment in opposition to perceived prejudiced reporting and consequently to further institution of reform measures.

The committee notes that members of numerous outside groups, in addition to the various media, seek entry regularly to corrections

institutions. Such groups include those promoting unionization of inmates, social service organizations, ex-inmate associations, legal aid societies, and so on, which offer services ranging from explanations of rights to future employment opportunities. A number of corrections officials have expressed their feeling to the committee that authority to revoke visiting privileges must be retained and exercised when representatives of groups appear to disrupt procedures or create situations of tension and hostility through militant advocacy of reform or demands for immediate expansion of privileges. The committee agrees that such authority should be retained by officials, and does not discount the veracity of observations that militancy and instigation to riot may be promoted by outside parties. The committee notes, however, that members of outside reform groups have performed on several occasions extremely valuable services as mediators between inmates and corrections officials, and have lessened in many cases the disparities between degrees and quality of legal assistance available within and outside institutions.

The committee concludes, as in the case of personal communications, that the privilege of visiting with members of legal, reform, and other groups, should not be curtailed altogether; while efficient and thorough procedures must be taken to ensure that opportunities for outside parties to enter institutions are not abused either by such parties or by inmates. The committee urges that metal detectors and similar safeguards be employed consistently, in order to protect both inmates and visitors from the legal consequences of direct participation or implication of participation in smuggling endeavors.

The committee does not seek a situation, of course, in which visitors -- whose sincerity and clarity of purpose and intention is evident -- are harrassed or subjected repeatedly to lengthy and stringent entrance procedures; but expects instead that officials will employ a measure of discretion, with consideration given to security as well as to familiarity of visitors. Entry should not be denied arbitrarily, but adequate protection must be afforded both inmates and officials. The committee feels that continuous re-assessment of visiting policies is necessary in order to afford inmates opportunities to encounter a variety of forms of outside assistance, without overlooking potentially disruptive influences leading to breaches of security.

Racial Conflicts

The Commissioner has expressed his feeling to the committee that conflict stemming from racial prejudice is minimal among inmates in correctional institutions. The absence of intense racial conflict may be ascribed primarily to the essential commonality of inmates' problems: adjustment to a confined life-style, experienced by all the members of the population, creates a mutuality of interest which overrides differences springing from race, ethnicity, language, and so on. Inmates generally have concurred in this view, indicating that while a certain amount of racial prejudice exists within the population and may lead upon occasion to incidents of violence, such prejudice is minimal compared to levels which exist in outside communities.

The committee has heard testimony asserting that racial prejudice

is harbored to a greater extent by corrections officers and administrators than by offenders. Deferential treatment is said to be afforded whites, while blacks and Spanish-speaking inmates experience the hostility and anxiety generated by discriminatory policies. Such discrimination is felt not only by inmates, but also appears as non-offender blacks and whites enter institutions to conduct volunteer programs, teach classes or visit; disapprobation of white female visitors and teachers associating with black male inmates constitutes one aspect of the prevalent attitudes. In addition, black offenders have expressed their fear that access to programs for outside learning and employment will be impeded by white correction officers on pertinent review boards.

The committee is sensitive to such fears and allegations, and although it has examined little evidence of conflicts that may be traced directly to racial prejudice, it deplores the existence of attitudes and routines which indicate that such prejudice exists. The committee urges that additional black and Spanish-speaking officers and counsellors be hired by the Department in an effort to augment the numbers of individuals able to comprehend through closer identification the problems, interests, and needs of minority group inmates. Attention has been focused on this area in recent years, and efforts have been made to equalize proportions of minority group inmates to minority group officials; progress, however, has not yet been adequate to eliminate or ameliorate the tensions which arise from perceptions of prejudice.

The committee is confident that the present Commissioner will make

every effort to define and respond to any particular needs which minority group inmates may have. The committee has heard testimony suggesting that a number of corrections officials harbor a degree of prejudice and resentment toward the present Commissioner, due not only to racial difference, but also to his appointment directly from another state, rather than from the departmental ranks. The latter source of resentment may be the stronger one, since appointment of a commissioner from out-of-state precludes promotion to this position of officials who have worked for a large portion of their careers within the Department. The committee has indicated earlier that it favors promotion and advancement of career corrections officers. However, in the case of appointment by the Governor, it feels it cannot accurately judge the thought and critical evaluation which led to such selection. The committee feels confident the present Commissioner possesses every qualification for the position which he holds and deplores the existence of any resentment or prejudice which can tend only to exacerbate existing difficulties and tensions within the Department. The committee expects that as the Commissioner displays his capacity to resolve such difficulties, adjustment to the new administration will be achieved by older members.

The committee further expects that continuous efforts will be made to modify any existing attitudes of prejudice, through an on-going process of personnel evaluation and equalization of minority officer-inmate proportions. As provisions of Chapter 777 of the Acts of 1972 are implemented, and the number of minority-group officials increases, a greater variety of inmate needs and interests must be met. The committee is confident that efforts will be made to ensure that oppor-

tunities for participation in new programs will be afforded as objectively as possible upon merit, interest, fitness, and responsibility. The committee deplores the possibility that legislative efforts to afford remedial services and promote the re-integration of inmates into society may be impeded by attitudes and habits which jeopardize rehabilitation; the committee feels that progress cannot be achieved as long as inmates whose offenses may stem partly from asocial behavioral patterns comprehending animosity based upon racial prejudice are expected to adopt new patterns under the watch of officials who may themselves harbor antagonizing prejudices.

APPENDIX A

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

RESOLVE AUTHORIZING THE COMMISSIONER OF CORRECTIONS TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF INTEGRATION OF COUNTY CORRECTIONAL FACILITIES WITHIN THE STATE CORRECTIONAL SYSTEM.

RESOLVED, That the Commissioner of Corrections is hereby requested to make an investigation and study relative to the feasibility of the integration, at some time in the future, of county correctional institutions, both Houses of Correction and Jails, within the state Department of Corrections. He shall report the results of the investigation and study, and his recommendations, if any, together with drafts of legislation necessary to carry out such recommendations, by filing the same with the Clerk of the Senate on or before the first Wednesday in December, nineteen hundred and seventy-three.

APPENDIX B

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

AN ACT REQUIRING THE PRODUCTION OF AN "INMATE RULE BOOK"

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 127 of the General Laws is hereby amended by inserting after section 23 thereof the following section:--

Section 23A. Every person committed to a correctional institution of the Commonwealth shall be provided, upon their commitment, with a booklet which shall contain all the rules and regulations of the respective institution to which he or she has been assigned which are necessary to enable such person to understand his rights and obligations while he or she continues to reside in the institution. Said rules and regulations shall be communicated to said person on a continuing basis as they are updated and revised. These rules and regulations shall include, but not be limited to, the definition of what conduct on the part of inmates will be regarded by the administration as demanding disciplinary censure and the various modes and degrees of discipline which could be meted out for specific breaches of institutional rules and regulations. Such rule booklet shall be provided to the person, as far as possible, in a language he or she is literate in, and in all other cases said rules and regulations shall be conveyed to the person orally in a language he or she has oral competency in.

APPENDIX C

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY THREE

AN ACT REGULATING DEDUCTIONS FOR GOOD CONDUCT GRANTED TO INMATES OF MASSACHUSETTS CORRECTIONAL INSTITUTIONS

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Section 129 of Chapter 127 of the General Laws is hereby amended by inserting after the first paragraph thereof the following new paragraph: --

The superintendent of any correctional institution in the commonwealth may grant such deductions from the maximum term for which an inmate may be held under his sentence or sentences, in addition to the deductions from his maximum sentence provided for in the preceding paragraph, as he deems sufficient to reward the prisoner for his conduct while confined at the institution. Such additional deductions shall be given for work in a state hospital or state school, satisfactory completion of an educational program leading to the award of a high school equivalency certificate, satisfactory performance of said prisoner in completing any other educational sequence or any vocational training program established within or without the institution, for satisfactory performance of said inmate over a period of six months when he or she is employed on work release or in a prison industry, or satisfactory performance of of inmates in any other program or activity which the super-

intendent shall deem valuable to the inmate's rehabilitation. Such deductions shall not exceed twelve and a half days in any one year period for each such evidence of meritorious behavior on the part of the inmate. Such additional deductions shall not be subject to forfeiture and they shall act to reduce the minimum term of the sentence or sentences for which said inmate is held in any of the proceedings relative to his or her parole eligibility as are specified in section one hundred and thirty-three of this chapter.

APPENDIX D

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

AN ACT REGULATING THE COMPENSATION OF INMATES EMPLOYED IN
CORRECTIONAL INSTITUTIONS

Be it enacted by the Senate and the House of Representatives
in General Court assembled, and by the authority of the same,
as follows:

Section 1. Section 48A of the General Laws is hereby amended by
striking out the first and second paragraphs and inserting in
place thereof the following paragraphs:--

Subject to appropriation from the General Fund, the commissioner
shall establish a system of compensation for inmates of the cor-
rectional institutions of the Commonwealth who perform good and
satisfactory work either within the industrial program or in
the servicing and maintenance of the correctional institutions
or in the prison camps. The commissioner shall establish a grad-
uated scale of compensation to be paid inmates which may provide
for compensation to any inmate who is employed within the in-
stitution at the minimum wage rate established for his or her labor
in accordance with the provisions of chapter 151 of the General
Laws. The commissioner shall establish and may at any time amend
or annul, rules and regulations for carrying out the purposes of
this section.

The superintendent of any correctional institution shall, upon re-
ceipt of monies earned by the inmates of the institution, deposit

such funds in special accounts maintained for each inmate in a bank approved by the state treasurer, provided that deductions from said earnings first be made by the superintendent for (a) reimbursement to the commonwealth or the county for food, clothing, and lodging provided to the inmate, (b) payment of any fine imposed by a court on the inmate, restitution decreed by the court as part of his or her sentence, such sums as might have been ordered by a court for the support of the inmate's family, (c) reimbursement to the commonwealth for any public assistance given the family of the inmate during his or her confinement, (d) reimbursement to the commonwealth or the county for any damages resulting from the respective inmate's activity during institutional disturbances, provided such activity on his part is proven after appropriate investigation, (e) reasonable sums for the necessary personal expenses of the inmate. No monies shall be paid directly to said inmate during the term of his or her confinement except pursuant to clause (e) of this paragraph. The superintendent shall ensure that the remainder of said funds is accumulated to the inmate's credit in the special accounts until he or she is paroled or discharged. Upon said release, the superintendent shall cause to be paid over to the inmate the balance of his or her respective account, in such instalments and at such times as are established pursuant to the above rules and regulations of the commissioner.

APPENIX E

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

RESOLVE AUTHORIZING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROVISION OF TAX INCENTIVES TO PRIVATE INDUSTRIES EMPLOYING EX-OFFENDERS OR DONATING EDUCATIONAL MATERIALS TO CORRECTIONS INSTITUTIONS.

RESOLVED, That the Commissioner of Corporations and Taxation is hereby requested to make an investigation and study relative to the advisability of the provision by the Commonwealth of tax incentives to private industries employing ex-offenders or donating educational materials to the corrections institutions of the Commonwealth. Such investigation shall include, but not be limited to, the establishment of a graduated scale of tax incentives to private industry employing ex-offenders based on correlative percentages of such ex-offenders so employed by any single industry, the construction of a list of private industries which consistently provide such employment opportunities to ex-offenders and encourage their respective employees to engage in volunteer programs at the corrections institutions. He shall report the results of the investigation and study, and his recommendations, if any, with drafts of legislation necessary to carry out such recommendations, by filing the same with the clerk of the Senate on or before the first Wednesday in December, nineteen hundred and seventy-three.

APPENDIX F

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

AN ACT REGULATING THE PROVISION OF MEDICAL CARE TO INMATES
AT CORRECTIONAL INSTITUTIONS OF THE COMMONWEALTH

Be it enacted by the Senate and the House of Representatives
in General Court assembled, and by the authority of the same,
as follows:

Section 1. Chapter 127 of the General Laws is hereby amended
by inserting after section 16 thereof the following section:--
Section 16A. All correctional institutions within the Common-
wealth shall ensure that each inmate is provided with access
to adequate medical care, consistent with his or her particular
health needs. Such care shall be provided by facilities within the
institutions or, if these are unavailable or inadequate to meet
the inmate's needs, through recourse to extra-institutional hos-
pitals or clinics. The Department of Public Health shall est-
ablish rules and regulations governing the provision of such med-
ical care and communicate the same to the Department of Cor-
rections on a regular and continuing basis.

APPENDIX G

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY THREE

AN ACT REGULATING FURLOUGHS ALLOWED INMATES AT CORRECTIONAL
INSTITUTIONS OF THE COMMONWEALTH

Be it enacted by the Senate and the House of Representatives
in General Court assembled, and by the authority of the same,
as follows:

Section 1. Section 90A of Chapter 127 of the General Laws, as
most recently amended by Section 18 of Chapter 777 of the Acts
of 1972, is hereby further amended by striking out the third
paragraph and inserting in place the following paragraph:--

A person away from a correctional facility pursuant to this
section may be accompanied by an employee of the department, in
the discretion of the commissioner, or an officer of a county
correctional facility, in the discretion of the administrator,
but in every case where such committed offender is permitted
to be away from the correctional facility, the appropriate police
authorities in the community to which such offender is allowed
to return shall receive notification from the Department.

APPENDIX H

THE COMMONWEALTH OF MASSACHUSETTS

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-THREE

AN ACT REQUIRING THE COMMISSIONER OF CORRECTIONS TO MAKE A
CERTAIN REPORT TO THE GENERAL COURT

Be it enacted by the Senate and the House of Representatives
in General Court assembled, and by the authority of the same,
as follows:

The Commissioner of Corrections is hereby requested to
make a report to the General Court relative to the progress
of the Department of Corrections in achieving the goals and
implementing the recommendations set forth in the Final Report
of the Senate Special Committee to make an Investigation and
Study of the Corrections System of the Commonwealth, Senate
document numbered _____. He shall compile this report
in a systematic fashion and transmit the same to the Clerk of the
Senate within one year after the filing of the final report of
the above named committee with the Clerk, or within one year
after the passage of any of the legislation appended to said
final report. No more than one such report by the Commissioner
of Corrections shall be so required.

Subscription price, Five Dollars per Annum in Advance. Single Copies, Fifteen Cents.
Entered as Second-Class Matter, May 2, 1912. Postpaid at Special Rate of \$3.75 per Annum.
Acceptance for mailing at Special Rate of Postage provided for in Act of October 3, 1917.
Postpaid at Chicago, Ill., under Post Office No. 253, dated May 1, 1919.

Published by THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION, 535 North Dearborn Street, Chicago, Ill.
Subscription orders, notices, and other correspondence should be sent to the Editor, at the above address.
Advertising orders to the Business Manager, at the above address.

Copyright, 1919, by The American Medical Association
All rights reserved. Reproduction by any means without permission is prohibited.

The Journal of the American Medical Association is a weekly publication of the American Medical Association, published at Chicago, Ill. It is the official journal of the Association and contains the proceedings of the Association and the reports of its various committees. It also contains original articles, reviews, and other material of interest to the medical profession. The Journal is published in English and is available to all members of the Association. It is also available to non-members at a special rate. The Journal is published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill. It is published weekly, except on Sundays and public holidays. The subscription price is Five Dollars per Annum in Advance. Single Copies, Fifteen Cents. Entered as Second-Class Matter, May 2, 1912. Postpaid at Special Rate of \$3.75 per Annum. Acceptance for mailing at Special Rate of Postage provided for in Act of October 3, 1917. Postpaid at Chicago, Ill., under Post Office No. 253, dated May 1, 1919. Published by THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION, 535 North Dearborn Street, Chicago, Ill. Subscription orders, notices, and other correspondence should be sent to the Editor, at the above address. Advertising orders to the Business Manager, at the above address. Copyright, 1919, by The American Medical Association. All rights reserved. Reproduction by any means without permission is prohibited.